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JIM EDGAR
Secretary of State

VOLUME 14
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**A WEEKLY
PUBLICATION**

**JULY 27
1990**

Pages 12125-12344

**Secretary of State
Administrative Code Div.
288 Centennial Bldg.
Springfield, IL 62756**

(217) 782-9786

ILLINOIS REGISTER

Rules of Governmental Agencies

TABLE OF CONTENTS

PROPOSED RULES	PAGE
CORRECTIONS, DEPARTMENT OF Records of Committed Persons; 20 Ill. Adm. Code 107	12125
INSURANCE, DEPARTMENT OF Prelicensing & Continuing Education; 50 Ill. Adm. Code 3119	12127
PUBLIC AID, DEPARTMENT OF Child Support Enforcement; 89 Ill. Adm. Code 160	12148
Drug Manual; 89 Ill. Adm. Code 141	12202
Rules of Practice in Administrative Hearings; 89 Ill. Adm. Code 104	12204
REHABILITATION SERVICES, DEPARTMENT OF Disability Case Development Process; 89 Ill. Adm. Code 843	12212
Establishment & Administration of Special Education, The; 89 Ill. Adm. Code 765	12224
Ill. Visually Handicapped Institute; 89 Ill. Adm. Code 730	12228
Non-Academic Programs & Policies; 89 Ill. Adm. Code 830	12234
Sequential Evaluation Process for the Determination of Disability; 89 Ill. Adm. Code 845	12240
Service Provision; 89 Ill. Adm. Code 695	12252
Training Services; 89 Ill. Adm. Code 592	12257
ADOPTED RULES	
EDUCATIONAL OPPORTUNITY, ILLINOIS CONSORTIUM FOR Ill. Consortium for Educational Opportunity Program; 23 Ill. Adm. Code 2400	12262
RACING BOARD, ILLINOIS Trifecta; 11 Ill. Adm. Code 409	12265
SECRETARY OF STATE Certificates of Title, Registration of Vehicles; 92 Ill. Adm. Code 1010	12267
EMERGENCY RULES	
CORRECTIONS, DEPARTMENT OF Records of Committed Persons; 20 Ill. Adm. Code 107	12273
PUBLIC AID, DEPARTMENT OF Drug Manual; 89 Ill. Adm. Code 141	12278
AGENCY NOTICES OF MODIFICATION, WITHDRAWAL OR REFUSAL TO PRO- POSED RULES	
CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF Pay Plan; 80 Ill. Adm. Code 310 (Withdrawal)	12321

(continued on next page)

PUBLIC INFORMATION

REVENUE, DEPARTMENT OF

Index of Letter Rulings (First Quarter of 1990) (ROT) 12322

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Second Notices Received 12337

EXECUTIVE ORDERS AND PROCLAMATIONS

PROCLAMATIONS

90-337 Disaster Areas - Several Counties 12338
90-338 Negro League Baseball Players Day 12338
90-339 Push America Day 12339
90-340 Chicago African American Exposition Days 12339
90-341 Stephen T. Hynes Day 12340
90-342 Emergency Nurses Days 12340
90-343 National Basketball Players Association/Little City Foundation Day 12341
90-344 Otto Whitehill Day 12341
90-345 True Value Fitness-Fun Day 12342
90-346 U.S. Space Observance Days/Space Exploration Day 12343
90-347 Vocational Student Organization Week 12343
90-348 Apostle Larry C. Simmons Day 12344
90-349 Firefighters Appreciation Week 12344

CUMULATIVE INDEX

1990 Index - Issue #30 CI-1

SECTIONS AFFECTED INDEX

1990 Index - Issue #30 SAI-1

INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1985, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1990

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 19, 1989	Dec. 26, 1989	1	Jan. 5, 1990	June 26, 1990	July 3, 1990	28	July 13, 1990
Dec. 26, 1990	Jan. 2, 1990	2	Jan. 12, 1990	July 3, 1990	July 10, 1990	29	July 20, 1990
Jan. 2, 1990	Jan. 9, 1990	3	Jan. 19, 1990	July 10, 1990	July 17, 1990	30	July 27, 1990
Jan. 9, 1990	Jan. 16, 1990	4	Jan. 26, 1990	July 17, 1990	July 24, 1990	31	Aug. 3, 1990
Jan. 16, 1990	Jan. 23, 1990	5	Feb. 2, 1990	July 24, 1990	July 31, 1990	32	Aug. 10, 1990
Jan. 23, 1990	Jan. 30, 1990	6	Feb. 9, 1990	July 31, 1990	Aug. 7, 1990	33	Aug. 17, 1990
Jan. 30, 1990	Feb. 6, 1990	7	Feb. 16, 1990	Aug. 7, 1990	Aug. 14, 1990	34	Aug. 24, 1990
Feb. 6, 1990	Feb. 13, 1990	8	Feb. 23, 1990	Aug. 14, 1990	Aug. 21, 1990	35	Aug. 31, 1990
Feb. 13, 1990	Feb. 20, 1990	9	Mar. 2, 1990	Aug. 21, 1990	Aug. 28, 1990	36	Sept. 7, 1990
Feb. 20, 1990	Feb. 27, 1990	10	Mar. 9, 1990	Aug. 28, 1990	Sept. 4, 1990	37	Sept. 14, 1990
Feb. 27, 1990	Mar. 6, 1990	11	Mar. 16, 1990	Sept. 4, 1990	Sept. 11, 1990	38	Sept. 21, 1990
Mar. 6, 1990	Mar. 13, 1990	12	Mar. 23, 1990	Sept. 11, 1990	Sept. 18, 1990	39	Sept. 28, 1990
Mar. 13, 1990	Mar. 20, 1990	13	Mar. 30, 1990	Sept. 18, 1990	Sept. 25, 1990	40	Oct. 5, 1990
Mar. 20, 1990	Mar. 27, 1990	14	Apr. 6, 1990	Sept. 25, 1990	Oct. 2, 1990	41	Oct. 12, 1990
Mar. 27, 1990	Apr. 3, 1990	15	Apr. 13, 1990	Oct. 2, 1990	Oct. 9, 1990	42	Oct. 19, 1990
Apr. 3, 1990	Apr. 10, 1990	16	Apr. 20, 1990	Oct. 9, 1990	Oct. 16, 1990	43	Oct. 26, 1990
Apr. 10, 1990	Apr. 17, 1990	17	Apr. 27, 1990	Oct. 16, 1990	Oct. 23, 1990	44	Nov. 2, 1990
Apr. 17, 1990	Apr. 24, 1990	18	May 4, 1990	Oct. 23, 1990	Oct. 30, 1990	45	Nov. 9, 1990
Apr. 24, 1990	May 1, 1990	19	May 11, 1990	Oct. 30, 1990	Nov. 5, 1990	46	Nov. 16, 1990
May 1, 1990	May 8, 1990	20	May 18, 1990	Nov. 5, 1990	Nov. 13, 1990	47	Nov. 26, 1990 (Mon.)
May 8, 1990	May 15, 1990	21	May 25, 1990	Nov. 13, 1990	Nov. 20, 1990	48	Nov. 30, 1990
May 15, 1990	May 22, 1990	22	June 1, 1990	Nov. 20, 1990	Nov. 27, 1990	49	Dec. 7, 1990
May 22, 1990	May 29, 1990	23	June 8, 1990	Nov. 27, 1990	Dec. 4, 1990	50	Dec. 14, 1990
May 29, 1990	June 5, 1990	24	June 15, 1990	Dec. 4, 1990	Dec. 11, 1990	51	Dec. 21, 1990
June 5, 1990	June 12, 1990	25	June 22, 1990	Dec. 11, 1990	Dec. 18, 1990	52	Dec. 28, 1990
June 12, 1990	June 19, 1990	26	June 29, 1990	Dec. 18, 1990	Dec. 24, 1990	1	Jan. 4, 1991
June 19, 1990	June 26, 1990	27	July 6, 1990	Dec. 24, 1990	Dec. 31, 1990	2	Jan. 11, 1991

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).



DEPARTMENT OF CORRECTIONS

DEPARTMENT OF CORRECTIONS

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: RECORDS OF COMMITTED PERSONS

2) Code Citation: 20 Ill. Adm. Code 107

3) Section Numbers: 107.210
Proposed Action:
Amend

4) Statutory Authority: Implementing and authorized by Section 3-6-3 of the Unified Code of Corrections (Ill. Rev. Stat. 1989, ch. 38, par. 1003-6-3, as amended by P.A. 86-1090, effective July 13, 1990).

5) A Complete Description of the Subjects and Issues Involved: This rulemaking is proposed to replace emergency rulemaking published elsewhere in this publication. Public Act 86-1090 allows committed persons to be awarded no more than 180 days of meritorious good time, except persons who are incarcerated for offenses specified may be granted no more than 90 days of meritorious good time.

6) Will this proposed rule replace an emergency rule currently in effect?
Yes.

7) Does this rulemaking contain an automatic repeal date? Yes
X No

8) Does this proposed rule (amendment, repealer) contain incorporation by reference? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: Not applicable; this rulemaking does not create or expand any State mandates.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

William H. Craine, Ph.D., Deputy Director
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277

All written comments received within 45 days of the date of the publication will be considered.

12) Initial Regulatory Flexibility Analysis: Not required; this rulemaking does not affect small businesses.

The full text of the Proposed Rule(s) is exactly identical to emergency rulemaking published on page 12275 of this issue of the Illinois Register.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Prelicensing and Continuing Education

2) Code Citation: 50 Ill. Adm. Code 3119

3) Section Numbers: Adopted Action:

3119.20	Amended
3119.30	Amended
3119.40	Amended
3119.50	Amended
3119.60	Amended
3119.70	Amended
3119.Exhibit A	Amended
3119.Exhibit B	Amended
3119.Exhibit C	Amended
3119.Exhibit D	Amended
3119.Exhibit H	Amended

4) Statutory Authority: Implementing Section 143 and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1989, ch. 73, pars. 755, 1065.41-1 and 1013).

5) A Complete Description of the Subjects and Issues Involved:
The Prelicensing and Continuing Education Rule has been in effect since January 1, 1985. The Department conducted a review of this rule to determine its effectiveness. The attached amendments have been initiated as a result of this review. This Department has also changed the one year requirement of Section 3119.20 to a three year requirement pursuant to paragraph 1065.41-1 of the Code.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporation by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: n/a

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Kirk Petersen, Assistant Chief Counsel
Illinois Department of Insurance
320 West Washington
Springfield, Illinois 62767

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 13, 1990

B) Types of small businesses affected: Pursuant to Section 3119.20, this rule will affect any individual licensed as an insurance producer after January 1, 1985.

C) Reporting, bookkeeping or other procedures required for compliance: Please refer to the attached rule for specific requirements.

D) Types of professional skills necessary for compliance: Clerical skills are required to achieve compliance with this rule.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER II: INSURANCE PRODUCER, LIMITED
INSURANCE REPRESENTATIVES AND
REGISTERED FIRMS

PART 3119

PRELICENSING AND CONTINUING EDUCATION

Section

- 3119.10 Purpose
- 3119.20 Definitions
- 3119.30 Provider Responsibilities
- 3119.40 Responsibilities of Applicants for Insurance Producer Licenses and Licensed Insurance Producers
- 3119.50 Pre-Licensing - Course of Study Requirements
- 3119.60 Continuing Education Requirements
- 3119.70 Course and Provider Disqualification
- 3119.80 Severability
- 3119.EXHIBIT A REQUEST FOR CERTIFICATION OF A PRE-LICENSING COURSE
- 3119.EXHIBIT B REQUEST FOR CERTIFICATION OF A CONTINUING EDUCATION COURSE
- 3119.EXHIBIT C PRE-LICENSING EDUCATION - PROOF OF COMPLETION
- 3119.EXHIBIT D CONTINUING EDUCATION - PROOF OF COMPLETION
- 3119.EXHIBIT E CLASS OF INSURANCE - LIFE
- 3119.EXHIBIT F CLASS OF INSURANCE - ACCIDENT/HEALTH
- 3119.EXHIBIT G COURSE OF STUDY - FIRE
- 3119.EXHIBIT H COURSE OF STUDY - CASUALTY/MOTOR VEHICLE

AUTHORITY: Implementing Section 143 and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1989, ch. 73, pars. 755, 1065.41-1 and 1013).

SOURCE: Adopted at 9 Ill. Reg. 80, effective January 1, 1985; amended at ___ Ill. Reg. ___, effective ___, 1990.

Section 3119.20 Definitions

For the purposes of this Part, the following definitions shall apply:

Course - Any course of study certified to the Director as meeting the requirements of this Part, including but not limited to seminar, classroom and self-study formats.

Date of Original Issue - The date of the issuance of a producer's license. Any lapse or suspension of one three years or more shall

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

establish a new date of original issue and subject the person to this Part.

Producer - Any individual licensed as an insurance producer after January 1, 1985 and who is in the first four 12-month periods after the date of original issue.

Provider - Any person who offers a course for which certification has been received by the Director.

Successful Completion - Passing an examination in accordance with criteria established by the provider.

Supervised Examination - A proctored, timed and closed book examination.

(Source: Amended at ___ Ill. Reg. ___, effective ___,)

Section 3119.30 Provider Responsibilities

- a) Each provider shall submit a certification form to the Director for each course it intends to offer for pre-licensing or continuing education credit. Seminar certifications must contain the dates of all future presentations. Certification must be on a form as prescribed by either Exhibit A or B, whichever is applicable.
- b) Each provider shall submit a new certification form any time there is a significant change in the course.
- c) Each provider shall maintain a copy of all instructional materials for each course. If the provider ceases to offer a course or makes a significant change in the course materials, the provider shall maintain the original material for three-years one year from the date such course was terminated or significantly changed.
- d) Each provider shall issue to each student either a record of attendance or record of successful completion of a course. Records shall contain the following information: name of provider, name of student, course identification, instructor name, hours of credit or attendance, and date of attendance or completion.
- e) Each provider shall maintain the following records for three years at a central location:
 - 1) Classroom or seminar - roster for each classroom course or seminar identifying the instructor(s), the student, the course,

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

the location, the date and hours of attendance, the completion date, and the results of any examinations administered.

- 2) Self-study - name of student, name of course, date of completion, and results of examinations.

- e) Each provider shall issue to each student an Exhibit C for pre-licensing, or Exhibit D for continuing education pursuant to the criteria established in Section 3119.50(b) or 3119.60(d).

- f) Instructors shall meet the following minimum requirements; either a Bachelor's degree or four three years experience in the course subject matter. Providers must maintain evidence of such qualifications while the instructor is actively engaged in instructing the course and for three-years one year thereafter.

- fg) Providers shall, upon the request of the Director, provide a copy of all course material, student provider records, and evidence of instructor's qualifications to the Director. All such requests shall be subject to a warrant of the Director and for the express purpose of gauging compliance with the Illinois Insurance Code and Departmental regulations pertaining thereto.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 3119.40 Responsibilities of Applicants for Insurance Producer Licenses and Licensed Insurance Producers

- a) Applicants for Insurance Producer Licenses

Each applicant shall complete the pre-licensing education requirements for the insurance producer license being applied for before submitting their application to the Director. The pre-licensing education course must be used within one year of completion. Each applicant shall submit the original proof of completion of the requirements with the application as set forth in Exhibit C.

- b) Licensed Insurance Producers

- 1) Each producer shall complete at least 25 hours of continuing education requirements prior to requesting an extension of an insurance producer license. A-copy-of-student-records-and-a Original proof of completion form (as set forth in Exhibit D) shall be submitted to the Director at the time extension of the license is requested.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 2) Courses-completed-prior-to-date-of-original-issue Hours taken, course material provided or presented in whole, in part or in conjunction with a pre-licensing course which is not prescribed as pre-licensing education requirements shall not be used to meet continuing education requirements.

- 3) Courses initiated or completed prior to the original issue date of the license shall not be used to meet continuing education requirements.

- 34) Each producer may carry forward a maximum of 25 credit hours but only to the next 12 month period. Each producer shall maintain proof of successful completion and/or attendance to substantiate any carry-over credit.

- 45) Each producer shall maintain proof of credits for a period of 5 years after date of original issue.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 3119.50 Pre-Licensing - Course of Study Requirements

- a) The certification form must be received by the Director at least 30 days prior to any course being offered.

- b) A course to be certified by the provider as a pre-licensing course of study shall meet the content requirements of Section 494.1(a) of the Illinois Insurance Code (Code) and time distribution requirements as set forth in Exhibit E, F, G or H, whichever is applicable.

- c) For the purposes of this Section, the minimum number of hours may be made up of any combination of classroom, seminar or self-study hours. A self-study course must have an examination.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 3119.60 Continuing Education Requirements

- a) The certification form must be received by the Director at least 30 days prior to any course being offered.

- b) For the purposes of this Section, "full credit" shall mean the amount of time as certified by the provider as necessary for a student to study for and pass an examination, or in the case of a

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

course with no examination, the number of documented classroom attendance hours.

- e) Courses shall be insurance-oriented, but may include other subject material, such as sales, marketing, motivation, prospecting and psychology, only if such material is incidental to and an integral part of the course.

- c) Courses shall be intended to increase the knowledge and understanding of insurance principles and coverages, applicable laws, and insurance regulations. Marketing, motivation, prospecting and psychology may be included if such material is incidental to and an integral part of the course. To be considered as incidental, the number of hours may not exceed 50% of the total number of hours devoted to acceptable basic course material.

The following courses shall not be considered for continuing education:

- 1) Courses used for insurance pre-licensing training or insurance qualifying examination preparation.
- 2) Courses teaching general business, general accounting, management, communication, computer operation and other similar general knowledge courses.
- 3) Courses with less than three hours of certified continuing education credit.

- d) The value of course credit for the purposes of this Section shall be determined as follows:

- 1) Supervised Examinations

- A) Successful Completion

Students who successfully complete a supervised examination will receive full credit for the course.

- B) Unsuccessful Completion

Students who do not successfully complete a supervised examination shall receive one hour of credit for each hour of documented classroom attendance or not to exceed 50% of full credit, whichever is greater.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 2) Non-Supervised Examination

- A) Successful Completion

Students who successfully complete a non-supervised examination will receive full credit for the course.

- B) Unsuccessful Completion

Students who do not successfully complete a non-supervised examination will receive no credit.

- 3) Courses Without Examination

Students will receive one-hour-of credit for each-hour-of documented attendance based on the certified hours assigned to the course.

- e) No additional credit will be given to a producer for a course that has been successfully completed and for which the producer has previously received credit.

- f) The maximum credit a producer can receive for any one course is 25 hours.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 3119.70 Course and Provider Disqualification

- a) The Director may disqualify any provider and/or any provider's course(s) if the Director finds that:

- 1) the provider or course has not met the requirements of this Part;

- 2) the provider has made a material misstatement or intentional misrepresentation on a certification form filed with the Director; a misstatement will be considered material if the course would not have been certified in the absence of such statement.

- 3) the provider has intentionally misrepresented itself or its course to students or prospective students.

- 4) the provider has violated any commitment made in the request for certification and supplementary attachments thereto including failure to maintain the standards and method of operation

DEPARTMENT OF INSURANCE
NOTICE OF PROPOSED AMENDMENTS

set forth in the request for certification and any supplementary attachments thereto;

- 5) the provider has employed instructors who do not meet the requirements of Section 3119.30(e) of this Part;
- 56) the provider is deemed by the Director to have failed to act in good faith in providing a course. A failure to act in good faith may only be evidenced by the following:

- A) a student pass/fail ratio inconsistent with those of other providers for courses which are similar in content and difficulty;
- B) the number of complaints received by the Director which specifically relate to the provider's course(s);

C) provides to the student a proof of completion form which contains false, misleading or incomplete information;

D) provides to the student a partially completed proof of completion form which would allow the student to add false, misleading or incomplete information;

- 67) the provider has failed to maintain the materials and records for courses, instructors and students as required by this Part pursuant to Section 3119.30.

- 8) the provider failed upon request of the Director to provide the Director with information and records required by this Part or the provider provided false, misleading or incomplete information or records.

- b) Disqualification of a provider or course pursuant to this Section shall be by written order sent to the provider by certified or registered mail at the address specified in the records of the Department. The provider may in writing request a hearing in accordance with 50 Ill. Adm. Code 2402, within 30 days from the date of mailing. If no written request is made, such order shall be final upon the expiration of said 30 days.

- c) If the provider requests a hearing pursuant to this Section within 30 days, then the Director shall issue within 30 days of receipt of such request a written notice of hearing to the provider by certified or registered mail sent to the provider to the address as specified in the records of the Department, and stating:

ILLINOIS REGISTER
DEPARTMENT OF INSURANCE
NOTICE OF PROPOSED AMENDMENTS

- 1) The grounds, charges or conduct which justifies disqualification under this Section;
- 2) A specific time for the hearing, which may not be less than 20 days nor more than 30 days after the mailing of the notice of hearing; and
- 3) A specific place for the hearing.
- d) Upon disqualification, the provider shall immediately discontinue offering its course(s) as a certified course(s). The Director shall publish all final disqualification.
- e) In any order of disqualification, the Director shall give consideration of credit hours to present students.

(Source: Amended at Ill. Reg. _____, effective _____)

SECTION 3119. EXHIBIT A REQUEST FOR CERTIFICATION OF A PRE-LICENSING COURSE

ILLINOIS DEPARTMENT OF INSURANCE
320 WEST WASHINGTON STREET
SPRINGFIELD, ILLINOIS 62767

PROVIDER'S NAME: _____

FEDERAL EMPLOYER'S I.D./SOCIAL SECURITY NO.: _____

PROVIDER'S ADDRESS: _____

PROVIDER'S TELEPHONE NUMBER: _____

COURSE TITLE: _____

FIRST DATE COURSE TO BE OFFERED: _____

IF SEMINAR, DATES OF ALL FUTURE PRESENTATIONS:

CLASS(ES) OF INSURANCE TO WHICH COURSE IS APPLICABLE:

LIFE ACCIDENT & HEALTH PROPERTY CASUALTY MOTOR VEHICLE

INSTRUCTION METHOD

CLASSROOM

SEMINAR

EXAMINATION

CREDIT HOURS REQUESTED

CLASSROOM HOURS

SEMINAR HOURS

TOTAL HOURS REQUESTED

OTHER STATES THAT HAVE APPROVED THIS PRE-LICENSING COURSE:

STATE

HOURS APPROVED

INSTRUCTION METHOD/HOURS

NUMBER OF CLASSROOM HOURS

NUMBER OF SEMINAR HOURS

NUMBER OF CORRESPONDENCE (SELF-STUDY) HOURS
(NOTE: MUST HAVE EXAMINATION)

NUMBER OF OTHER HOURS (EXPLAIN)

NUMBER OF EXAMINATION HOURS

TOTAL NUMBER OF HOURS REQUESTED

IS COURSE AVAILABLE TO PUBLIC YES NO

IF USING A PUBLISHERS COURSE, SUBMIT A COPY OF TITLE PAGE AND PAGE WITH DATE OF COPYRIGHT. IF NOT USING PUBLISHERS TEXT, SUBMIT COURSE OUTLINE.

SUBMIT SEPARATE EXHIBIT A FOR EACH CLASS OF INSURANCE.

We do certify that this course meets all of the applicable requirements of Part 3119 and that we will maintain and provide students all applicable records required by Part 3119. We understand that failure to comply with the requirements of Part 3119 will result in our disqualification.

Signature

Name

Title

Date Submitted

FOR USE BY THE OFFICE OF THE DIRECTOR OF INSURANCE ONLY

Course certified for Pre-licensing Education credit hours.

Course not certified for Pre-licensing Education credit hours.

Comments:

BY:

(Source: Amended at Ill. Reg. , effective)

SECTION 3119. EXHIBIT B REQUEST FOR CERTIFICATION OF A CONTINUING EDUCATION COURSE

DEPARTMENT OF INSURANCE
NOTICE OF PROPOSED AMENDMENTS

ILLINOIS DEPARTMENT OF INSURANCE
320 WEST WASHINGTON STREET
SPRINGFIELD, ILLINOIS 62767

PROVIDER'S NAME: _____
FEDERAL EMPLOYERS I.D./SOCIAL SECURITY NO.: _____
PROVIDER'S ADDRESS: _____
PROVIDER'S TELEPHONE: _____
COURSE TITLE: _____
FIRST DATE COURSE TO BE OFFERED: _____

CLASS(ES) OF INSURANCE TO WHICH COURSE IS APPLICABLE:

____ LIFE ____ ACCIDENT & HEALTH ____ PROPERTY ____ CASUALTY ____ MOTOR VEHICLE

INSTRUCTION-METHOD

-----CLASSROOM
-----CORRESPONDENCE-(Self-Study)
-----EXAMINATION
-----OTHER-(EXPLAIN)
-----SEMINAR

EXAMINATION-METHOD

-----SUPERVISED
-----NON-SUPERVISED
-----NO-EXAMINATION

NUMBER-OF-HOURS-NECESSARY-TO-STUDY-FOR-AND-PASS-EXAMINATION:

NUMBER-OF-CLASSROOM-OR-SEMINAR-HOURS
NUMBER-OF-STUDY-HOURS
NUMBER-OF-EXAMINATION-HOURS
TOTAL-NUMBER-OF-HOURS
CREDIT-HOURS-REQUESTED-FOR-APPROVAL

ILLINOIS REGISTER
DEPARTMENT OF INSURANCE
NOTICE OF PROPOSED AMENDMENTS

INSTRUCTION METHOD/HOURS
NUMBER OF CLASSROOM HOURS
NUMBER OF SEMINAR HOURS
NUMBER OF CORRESPONDENCE (SELF-STUDY) HOURS
(NOTE: MUST HAVE EXAMINATION)

NUMBER OF OTHER HOURS (EXPLAIN)

NUMBER OF EXAMINATION HOURS

TOTAL NUMBER OF HOURS REQUESTED

IS COURSE AVAILABLE TO PUBLIC YES NO

IF USING A PUBLISHERS COURSE, SUBMIT A COPY OF TITLE PAGE AND PAGE WITH DATE OF COPYRIGHT. IF NOT USING PUBLISHERS TEXT, SUBMIT COURSE OUTLINE.

OTHER STATES THAT HAVE APPROVED THIS CONTINUING EDUCATION COURSE:

STATES HOURS APPROVED

We do certify that this course meets all of the applicable requirements of Part 3119 and that we will maintain and provide students all applicable records required by Part 3119. We understand that failure to comply with the requirements of Part 3119 will result in our disqualification.

Signature
Name
Title
Date Submitted

IMPORTANT:--A content-outline-of-the-course-must-accompany-this-form-

FOR USE BY THE OFFICE OF THE DIRECTOR OF INSURANCE ONLY

Course certified for continuing education credit hours.

Course not certified for continuing education credit hours.

Comments:

By: (Source: Amended at Ill. Reg. , effective)

SECTION 3119. EXHIBIT C PRE-LICENSING EDUCATION - PROOF OF COMPLETION

NAME: SOCIAL-SECURITY-NUMBER:

ADDRESS:

COURSE-PROVIDER'S-CLASS-OF--TYPE-COURSE-(CLASSROOM-DATE-COURSE-CREDIT-HRS-NAME-----INSURANCE-SEMINAR--SELF-STUDY)-----COMPLETED---EARNED-----

1:-----

2:-----

3:-----

4:-----

5:-----

TOTAL-CREDIT-HOURS-EARNED:-----

TYPE-LICENSE-BEING-REQUESTED+-----

-----BIFE-----HEALTH-----PROPERTY-----CASUALTY-----MOTOR-VEHICLE

COURSE NUMBER	COURSE NAME	CLASS OF INSURANCE	DATE COMPLETED

I hereby certify that the above information is true and correct to the best of my knowledge and belief; and that a false statement is cause for denial, suspension or revocation of license.

Student's Signature Date

Name of Certified Provider SSN or FEIN of Certified Provider

I hereby certify that the above information is true and correct to the best of my knowledge and belief; and that a false statement is cause for provider disqualification.

Authorized Signature for ProviderDate

Printed Name for Authorized SignaturePrinted Name of Instructor

DO NOT OMIT IDENTIFICATION AND COURSE NUMBERS OR YOUR REQUEST WILL NOT BE HONORED.

(Source: Amended at Ill. Reg. _____, effective _____)
SECTION 3119. EXHIBIT D CONTINUING EDUCATION - PROOF OF COMPLETION

NAME: _____ SOCIAL SECURITY NUMBER: _____
ADDRESS: _____

COURSE PROVIDER'S CLASS OF TYPE COURSE (CLASSROOM DATE COURSE CREDIT HRS
NAME NAME INSURANCE SEMINAR SELF STUDY) COMPLETED EARNED

1: _____
2: _____
3: _____
4: _____
5: _____

TOTAL CREDIT HOURS EARNED:
CARRY OVER HOURS

THE ABOVE CREDIT HOURS WERE EARNED AS FOLLOWS:
CLASSROOM OR SEMINAR HOURS SELF STUDY EXAMINATION TOTAL

1: _____

2: _____
3: _____
4: _____
5: _____

TYPE OF LICENSE HELD:
LIFE HEALTH PROPERTY CASUALTY MOTOR VEHICLE

I CERTIFY THAT I PERSONALLY COMPLETED THE ABOVE COURSE(S):

Licensee's SignatureDate

INFORMATION MUST BE PRINTED OR TYPED

PRODUCER'S NAME
PRODUCER'S SOCIAL SECURITY NUMBER
COURSE NUMBER
COURSE TITLE
DATE COMPLETED
CREDIT HOURS EARNED (25 maximum for one course)
CERTIFIED PROVIDER NAME
PROVIDER FEDERAL EMPLOYER'S IDENTIFICATION NUMBER (FEIN)
PROVIDER SOCIAL SECURITY NO. (If provider is an individual)

I hereby certify that the above information is true and correct to the best of my knowledge and belief; and that a false statements is cause for denial, suspension or revocation of license.

Producer's Signature

Date

Authorized Signature for Provider

Date

Printed Name for Authorized Signature

Printed Name of Instructor

It is important that this form be completed and sent to the Department of Insurance attached only to the producer's license renewal application for the first four years following the original license issue date.

DO NOT OMIT IDENTIFICATION AND COURSE NUMBERS OR YOUR REQUEST WILL NOT BE HONORED.

(Source: Amended at Ill. Reg. , effective)

Section 3119.EXHIBIT H COURSE OF STUDY - CASUALTY/MOTOR VEHICLE

Course of Study Content Requirements		Time Distribution Requirements
I. Insurance and Insurance-Related Concepts		25%
A. Risks		
B. Hazards		
C. Indemnity		
D. Insurable interest		
E. Actual cash value		
F. Negligence		
G. Liability		
H. Accident		
I. Occurrence		
J. Burglary		
K. Robbery		
L. Theft		
M. Mysterious disappearance		
N. Fidelity (employee dishonesty)		
O. Warranties		
P. Representations		
II. Policy Provisions		20%

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- A. Declarations
- B. Definition of the insured
- C. Insuring agreement
- D. Duties of the insured
- E. Obligations of the company
- F. Cancellation and nonrenewal provisions
- G. Supplementary payments (additional coverages)
- H. Proof of loss (notice of claim)
- I. Arbitration
- J. Pro rata liability (other insurance)
- K. Subrogation
- L. Compliance with provisions of Fair Credit Reporting Act

III. Types of Policies

- A. General liability
 - 1. Owners, landlords, and tenants
 - 2. Manufacturers, contractors
 - 3. Products and completed operations
 - 4. Contractual liability
 - 5. Comprehensive general liability

- B. Automobile-Personal and commercial auto insurance, including assigned risk and involuntary plans
- C. Workers Compensation
- D. Crime

- 1. Fidelity
- 2. Open stock burglary
- 3. Mercantile robbery and safe burglary
- 4. Money and security broad form

IV. Perils, Exclusions, Deductibles, and Liability

- A. Bodily injury and property damage liability
- B. Perils covered
- C. Exclusions, extensions, limitations, and conditions
- D. Limits of liability
- E. Deductibles

V. Prospecting and Evaluating Needs

2%

DEPARTMENT OF INSURANCE

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: CHILD SUPPORT ENFORCEMENT

- A. Keeps current as to changes (e.g., markets, introduction of new coverages) in types of coverages that might expand coverage for current clients or increase the number of potential clients
- B. Reviews prospect's existing policies to prevent duplication of coverage and determine areas of further potential coverage
- C. Obtains information necessary to analyze risks, hazards, and exposures
- D. Analyzes risks, hazards, and exposures in order to determine prospect's needs
- E. Evaluates continued adequacy of protection, determines unprotected exposures, and recommends suitable changes in coverage
- F. Contacts accounts at renewal time and reviews existing policies

VI. Servicing Clients

2%

- A. Explains services (e.g., claims, safety programs) provided by agent and company
- B. Assists policyowner with service needs (e.g., change of name, policy loans, change of mode of premium payment)
- C. Maintains accurate records of client data (e.g., change of address)
- D. Assists in filing and following up of claims

VII. Presentation and Acceptance

2%

- A. Informs insured and carrier of date and time coverage takes effect
- B. Prepares and forwards proposal, application, and other pertinent information to appropriate carrier for underwriting and premium determination
- C. Maintains complete records of all business transactions as required (e.g., pending files, binders, and binder charges)

(Source: Amended at Ill. Reg. _____, effective _____)

2) Code Citation: 89 Ill. Adm. Code 160

3) Section Numbers: Proposed Action:

- | | |
|---------|-------------|
| 160.5 | Amendment |
| 160.60 | Amendment |
| 160.65 | Amendment |
| 160.70 | Amendment |
| 160.100 | Amendment |
| 160.110 | Amendment |
| 160.120 | Amendment |
| 160.130 | Amendment |
| 160.132 | New Section |
| 160.134 | New Section |
| 160.136 | New Section |
| 160.138 | New Section |

4) Statutory Authority:

89 Ill. Adm. Code 160.5 thru 160.138

Sections 10-1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 10-1 et seq. and 12-13)

89 Ill. Adm. Code 160.60 and 160.65

Sections 10-3.1, 10-6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 10-3.1, 10-6 and 12-13)

5) A Complete Description of the Subjects and Issues Involved:

89 Ill. Adm. Code 160.5 thru 160.138

This proposed rulemaking establishes timeframes for the distribution of child support collections, describes how distribution will occur for various types of IV-D cases and clarifies the Department's handling and application of intercepted tax refunds. These proposals derive from changes in federal regulations resulting from the Family Support Act of 1988 (Public Law 100-485).

89 Ill. Adm. Code 160.60 and 160.65

This rulemaking establishes the Department's program and

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

demonstration project for periodic review and modification of support obligations. If also sets forth the rights of the affected parties to challenge or contest proposed modifications of support obligations. These proposals reflect and implement requirements of the Family Support Act of 1988 (Public Law 100-485).

- 6) Will these Proposed Amendments replace Emergency Amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No ☐
- 8) Do these Proposed Amendments contain incorporations by reference? No
- 9) Are there any other Proposed Amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

89 Ill. Adm. Code 160.5 thru 160.138

Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Myron Brigman, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

89 Ill. Adm. Code 160.60 and 160.65

Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Myron Brigman, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:

89 Ill. Adm. Code 160.5 thru 160.138

This rulemaking has no effect on small businesses.

89 Ill. Adm. Code 160.60 and 160.65

- A) Date Proposed Amendments were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 16, 1990
- B) Types of small businesses affected: Any small businesses that may employ responsible relatives of IV-D clients.
- C) Reporting, bookkeeping or other procedures required for compliance: See subsection (e) of proposed 89 Ill. Adm. Code 160.65, Modification of Support Obligations, for a description of employment information that the Department will seek from employers of IV-D responsible relatives.
- D) Types of professional skills necessary for compliance: Does not require specialized professional skills for compliance.

The full text of the Proposed Amendments begins on the next page:

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER f: COLLECTIONS

PART 160
CHILD SUPPORT ENFORCEMENT

SUBPART A: CHILD SUPPORT ENFORCEMENT

Section
160.1 Incorporation By Reference
160.5 Definitions
160.10 Child Support Enforcement Program
160.20 Assignment of Rights to Support

SUBPART B: COOPERATION WITH CHILD SUPPORT ENFORCEMENT

Section
160.30 Cooperation With Support Enforcement Program
160.35 Good Cause For Failure to Cooperate With Support Enforcement
160.40 Proof of Good Cause For Failure to Cooperate With Support Enforcement
160.45 Suspension of Child Support Enforcement Upon Finding of Good Cause

SUBPART C: ESTABLISHMENT AND MODIFICATION OF CHILD SUPPORT ORDERS

Establishment and Modification of Support Obligations
Modification of Support Obligations

SUBPART D: ENFORCEMENT OF CHILD SUPPORT ORDERS

Section
160.60 Enforcement of Support Orders
160.75 Withholding of Income to Secure Payment of Support
160.80 Amnesty - 20% Charge

SUBPART E: EARMARKING CHILD SUPPORT PAYMENTS

Section
160.90 Earmarking Child Support Payments

NOTICE OF PROPOSED AMENDMENTS

SUBPART F: DISTRIBUTION OF SUPPORT COLLECTIONS

Section
160.100 Distribution Of Child Support For AFDC Recipients
160.110 Distribution Of Child Support For Former AFDC Recipients Who Continue To Receive Child Support Enforcement Services
160.120 Distribution Of Child Support Collected While The Client Was An AFDC Recipient, But Not Yet Distributed At The Time The AFDC Case Is Cancelled
160.130 Distribution Of Intercepted Income Tax Refunds and Other State Payments
160.132 Distribution Of Child Support For Non-AFDC Clients
160.134 Distribution Of Child Support For Interstate Cases
160.136 Distribution Of Support Collected in IV-E Foster Care Maintenance Cases
160.138 Distribution Of Child Support for Medical Assistance No Grant Cases

SUBPART G: STATEMENT OF CHILD SUPPORT ACCOUNT ACTIVITY

160.140 Statement Of Child Support Account Activity

SUBPART H: DEPARTMENT REVIEW OF DISTRIBUTION OF CHILD SUPPORT

160.150 Department Review Of Distribution Of Child Support For AFDC Recipients
160.160 Department Review Of Distribution Of Child Support For Former AFDC Recipients

AUTHORITY: Implementing and authorized by Sections 4-1.7, 10-1 et seq., 12-4.3, and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987-1989, ch. 23, pars. 4-1.7, 10-1 et seq., 12-4.3 and 12-13).

SOURCE: Recodified from 89 Ill. Adm. Code 112.78 through 112.86 and 112.88 at 10 Ill. Reg. 11928; amended at 10 Ill. Reg. 19990, effective November 14, 1986; emergency amendment at 11 Ill. Reg. 4800, effective March 5, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9129, effective April 30, 1987; amended at 11 Ill. Reg. 15208, effective August 31, 1987; emergency amendment at 11 Ill. Reg. 1563, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 9065, effective May 16, 1988; amended at 12 Ill. Reg. 18185, effective November 4, 1988; emergency amendment at 12 Ill. Reg. 20835, effective December 2, 1988, for a maximum of 150 days;

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

amended at 12 Ill. Reg. 22278, effective January 1, 1989; amended at 13 Ill. Reg. 4268, effective March 21, 1989; amended at 13 Ill. Reg. 7761, effective May 22, 1989; amended at 13 Ill. Reg. 14385, effective September 1, 1989; amended at 13 Ill. Reg. 16768, effective October 12, 1989; amended at 14 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART A: CHILD SUPPORT ENFORCEMENT

Section 160.5 Definitions

"AFDC" refers to the Aid to Families with Dependent Children Program, Title IV-A of the Social Security Act (42 U.S.C. 601 et seq.) that is financial and medical assistance available to families with one or more dependent children or on-behalf-of-dependent children-in-foster-care-under-the-guardianship-of-the Department-of-Children-and-Family-Services.

"AFDC recipient" refers to a person who is receiving financial and medical assistance under the AFDC program in the current month.

"Assignment of support" refers to the transfer of support rights to (1) the Department by the acceptance of AFDC benefits, pursuant to 42 U.S.C. 602(a)(26)(A) and Section 10-1 of The Illinois Public Aid Code (Ill. Rev. Stat. 1987 1989, ch. 23, par. 10-1) or (2) the Department of Children and Family Services ("DCFS"), in the case of IV-E foster care, pursuant to 42 U.S.C. 671(a)(17) and Section 9.1 of the Children and Family Services Act (Ill. Rev. Stat. 1989, ch. 23, par. 5009.1).

"Cancellation" refers to the discontinuance of AFDC financial and medical benefits for an assistance unit because of the failure to satisfy the conditions of eligibility under the Title IV-A State Plan.

"Child support enforcement services" refers to those services provided to establish, enforce and collect support, in accordance with an approved State Plan under Title IV-D of the Social Security Act (42 U.S.C. 654).

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.5 Definitions (Cont'd)

"Date of Collection" for distribution purposes in all cases refers to the date on which (a) a payor of income withholds an amount from a responsible relative's wages or other income to meet a support obligation, when there is a served order of income withholding, (b) the Department of Employment Security withholds an amount from a responsible relative's unemployment insurance benefits ("UIB") to meet a support obligation, when there is withholding of UIB, or (c) in all other instances, a support payment is received by the Clerk of the Court or the Department, whichever date is earlier.

"Family Support Information System" or "FSIS" refers to the data processing system used to process all IV-D cases in Illinois.

"IV-D account receivable" or "support account" refers to a part of the accounting system in FSIS used to record charges, payments, and account adjustments for a particular account. More than one account may exist for a given caretaker relative and for a given responsible relative. For example, a mother with two children by one father from one marriage, and three children by a second father from another marriage, will have two support accounts if there are two separate support obligations. If children are born in a non-marital relationship, there will be one account per child.

"IV-D program" or "IV-D" refers to the child support program set forth in 42 U.S.C. 651 et seq. and this part of the Department administrative rules.

"IV-E foster care" or "IV-E" refers to the foster care program set forth in 42 U.S.C. 670 et seq.

"Initial receipt in the State" for disbursement purposes in all cases refers to the date on which (a) the Department of Employment Security withholds an amount from a responsible relative's unemployment insurance benefits ("UIB") to meet a support obligation, when there is a withholding of UIB, or (b) in all other instances, a support payment is received by the Clerk of the Court or the Department, whichever date is earlier.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.5 Definitions (Cont'd)

"Responsible relative" refers to a person who is responsible, or alleged to be responsible, under law for support of a dependent.

"Support case" refers to a case established in the FSIS for the purpose of providing establishment, enforcement and collection services to dependent children and their custodial parent, in accordance with the provisions of Title IV-D of the Social Security Act (42 U.S.C. 654).

"Support obligation" refers to the duty a non-custodial relative owes to his or her dependents, as set forth in a legally-valid court or administrative order.

"Unreimbursed AFDC" refers to the total amount of financial assistance provided to a family unit, in accordance with Title IV-A of the Social Security Act (42 U.S.C. 601 et seq.) for which the State and Federal governments have not been reimbursed. The State and Federal governments are limited in the amount of support payments they may retain for "unreimbursed AFDC", in accordance with the provisions set forth in Sections 160.100, 160.110 and 160.130 of this Part. The "amount of unreimbursed assistance accrued prior to the AFDC cancellation", reported in the Department's "Statements of Child Support Account Activity for Former Recipients" (see Section 160.140), is that limited amount which the Department is entitled to retain.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

SUBPART C: ESTABLISHMENT AND MODIFICATION OF CHILD SUPPORT ORDERS

Section 160.60 Establishment and Modification of Support Obligations

a) Definitions

- 1) "FSS" means any Family Support Specialist performing assigned duties, his supervisory staff

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.60 Establishment and Modification of Support Obligations (Cont'd)

and any other person assigned responsibility by the Director of the Department.

- 2) "Service" or "Served" means notice given by certified mail, return receipt requested, or by any method provided by law for service of summons. (See Sections 2-203 and 2-206 of the Civil Practice Law (Ill. Rev. Stat. 1987-1989, ch. 110, pars. 2-203 and 2-206)).

- 3) "Support Statutes" means the following:

- A) Article X of the Illinois Public Aid Code (Ill. Rev. Stat. 1987-1989, ch. 23, par. 10-1 through par. 10-19);
- B) The Illinois Marriage and Dissolution of Marriage Act (Ill. Rev. Stat. 1987-1989, ch. 40, par. 101 et seq.);
- C) The Non-Support of Spouse and Children Act (Ill. Rev. Stat. 1987-1989, ch. 40, par. 1101 et seq.);
- D) The Revised Uniform Reciprocal Enforcement of Support Act (Ill. Rev. Stat. 1987-1989, ch. 40, par. 1201 et seq.);
- E) The Paternity Act (Ill. Rev. Stat. 1987-1989, ch. 40, par. 1351 et seq.);
- F) The Illinois Parentage Act of 1984 (Ill. Rev. Stat. 1987-1989, ch. 40, par. 2501 et seq.); and
- G) Any other statute in another state which provides for child and spouse support.

b) Responsible Relative Contact

- 1) Timing and Purpose of Contact

- A) The Department shall contact and interview responsible relatives in Title IV-D cases to establish support obligations, following the

NOTICE OF PROPOSED AMENDMENTS

Establishment and Modification of Support Obligations (Cont'd)

Section 160.60

IV-D client interview, and to modify existing support obligations.

if whenever any change in financial circumstances of the relative becomes known through representations of the relative or of the IV-D client or from independent sources and such change would materially affect ability to support, or

if every three years, whichever occurs sooner.

B) The purpose of contact and interview shall be to obtain relevant facts including income information (e.g., paycheck stubs, income tax returns) necessary to determine the financial ability of such relatives for use in obtaining stipulated, consent and other court orders for support and in entering administrative support orders, pursuant to the support statutes.

2) At least 5 working days in advance of the interview, the Department shall notify each responsible relative contacted of his support obligation, by ordinary mail, which notice shall contain the following:

- A) the title IV-D case name and identification number;
- B) the names and birthdates of the persons for whom support is sought or other information identifying such persons, such as a prior court number;
- C) that the responsible relative has a legal obligation to support the named persons;
- D) the date, time, place and purpose of the interview and that the responsible relative may be represented by counsel; and

NOTICE OF PROPOSED AMENDMENTS

Establishment and Modification of Support Obligations (Cont'd)

Section 160.60

E) that the responsible relative should bring specified information regarding his income and resources to the interview.

3) The Department shall notify each Title IV-D client of the date, time and place of the responsible relative interview and that he may attend if he chooses.

c) Determination of Financial Ability

1) The Department shall use the guidelines set forth below to determine the financial ability of responsible relatives to provide support in Title IV-D cases.

2) The minimum amount of child support to be established shall be determined as follows:

Number of Children	Percent of Responsible Relative's Net Income
1	20%
2	25%
3	32%
4	40%
5	45%
6 or more	50%

3) The minimum amount of child and spouse support to be established shall be determined as follows:

Number of Children	Percent of Responsible Relative's Net Income
1	30%
2	35%
3	45%
4	50%
5 or more	55%

4) "Net Income" is the total of all income from all sources, minus the following deductions:

A) Federal income tax (properly calculated

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.60

Establishment and ~~Modification~~ of Support Obligations (Cont'd)

- withholding or estimated payments);
- B) State income tax (properly calculated withholding or estimated payments);
- C) Social Security (FICA payments);
- D) Mandatory retirement contributions required by law or as a condition of employment;
- E) Union dues;
- F) Dependent and individual health/hospitalization insurance premiums;
- G) Prior obligations of support or maintenance actually paid pursuant to a court order or administrative support order;
- H) Expenditures for repayment of debts that represent reasonable and necessary expenses for the production of income;
- I) Medical expenditures necessary to preserve life or health; and
- J) Reasonable expenditures for the benefit of the child and the other parent, exclusive of gifts.
- 5) The deductions in subsections (4)(H), (I) and (J) above shall be allowed only for the period that such payments are due. The Department shall enter administrative, or request the court to enter, support orders which contain provisions for an automatic increase in the support obligation upon termination of such payment period.
- 6) The above guidelines shall be applied in each case unless the Department, after considering evidence presented on all relevant factors, finds a reason for deviating from the guidelines as follows:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.60

Establishment and ~~Modification~~ of Support Obligations (Cont'd)

- A) For child support, relevant factors include, but are not limited to, the following:
- i) the financial resources and needs of the child;
 - ii) the financial resources and needs of the custodial parent;
 - iii) the standard of living the child would have enjoyed had the marriage not been dissolved, the separation not occurred or the parties married;
 - iv) the physical and emotional condition of the child, and his educational needs; and
 - v) the financial resources and needs of the non-custodial parent.
- B) For child and spouse support, additional relevant factors include, but are not limited to, the following:
- i) the financial resources of the spouse seeking support, including marital property apportioned to him, and his ability to meet his needs independently, including the extent to which a provision for support of a child living with him includes a sum for him as custodian;
 - ii) the time necessary to acquire sufficient education or training to enable the spouse seeking support to find appropriate employment;
 - iii) the standard of living established during the marriage;
 - iv) the duration of the marriage;
 - v) the age and the physical and emotional

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.60 Establishment and Modification-of Support Obligations (Cont'd)

condition of both parties;

vi) the ability of the spouse from whom support is sought to meet his needs while meeting those of the spouse seeking support; and

vii) the tax consequences of the property division upon the respective economic circumstances of the parties.

C) Each order requiring support which deviates from the guidelines shall contain express findings of the reasons for the different amount.

7) In cases where health/hospitalization insurance coverage is not being furnished by the responsible relative to a child to be covered by a support order, the Department shall enter administrative, or request the court to enter support orders requiring the relative to provide such coverage when a child can be added to an existing insurance policy at reasonable cost. However, in Title IV-D non-AFDC cases where the client is neither an applicant for nor a recipient of Medical Assistance, the Department shall enter or request such support orders only with the client's consent. Net income shall be reduced by the cost thereof in determining the minimum amount of support to be ordered.

8) The final order in all cases shall state the support level in dollar amounts.

9) If there is no net income because of the unemployment of a responsible relative who resides in Illinois and is not receiving General Assistance in the City of Chicago and has children receiving AFDC in Illinois, the Department, when proceeding under subsection (d) below, shall order, or, when proceeding under subsection (e) below, shall request the court to order the relative to report for participation in job search, training or work programs established

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.60 Establishment and Modification-of Support Obligations (Cont'd)

for such relatives under Section 9-6 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987-1989, ch. 23, par. 9-6).

d) Administrative Process

1) Use of Administrative Process

A) Department FSS's shall establish and modify support obligations of responsible relatives through the administrative process set forth in this subsection (d), in Title IV-D cases, wherein the court has not acquired jurisdiction previously, in matters involving:

i) presumed paternity as set forth in Section 5 of the Illinois Parentage Act (Ill. Rev. Stat. 1987-1989, ch. 40, par. 2505) and support is sought from one or both parents; and

ii) alleged paternity and support is sought from the mother.

B) In addition to those items specified in subsection (b)(2) above, the notice of support obligation shall inform the responsible relative of the following:

i) that he may be liable for reimbursement of public assistance furnished the named persons prior to determination of the ability to support; and

ii) that upon failure of the responsible relative to appear for the interview or to provide necessary information to determine net income, an administrative support order may be entered by default or the Department may seek court determination of financial ability based upon the guidelines.

2) The FSS shall determine the ability of each

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.60

Establishment and Modification of Support Obligations (Cont'd)

responsible relative to provide support in accordance with subsection (c) above when such relative appears in response to the notice of support obligation and provides necessary information to determine net income. An administrative support order shall be entered which shall incorporate the resulting support amount therein.

3) Failure to Appear

A) In instances in which the responsible relative fails to appear in response to the notice of support obligation or fails to provide necessary information to determine net income, the FSS shall enter an administrative support order by default, except as provided in subsection (d)(3)(c) below. The terms of the order shall be based upon the needs of the persons for whom support is sought, as furnished by affidavit of the IV-D client. No default order shall be entered when a responsible relative fails to appear at the interview unless the relative shall have been served with a notice of support obligation.

B) The FSS shall issue a subpoena to a responsible relative who fails to appear for interview, or who appears and furnishes income information, when the FSS has information from the Title IV-D client, the relative's employee or any other reliable source indicating that:

- i) financial ability, as determined from the guidelines contained in subsection c) above, exceeds the amount indicated in case of default, as indicated in subsection (d)(3)(A) above, or
- ii) income exceeds that reported by the relative.
- C) In instances in which the relative fails or

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.60

Establishment and Modification of Support Obligations (Cont'd)

refuses to accept or fully respond to a Department subpoena issued to him pursuant to subsection (d)(3)(B) above, the FSS shall enter a temporary administrative support order by default, in accordance with subsection (d)(3)(A) above, and shall then seek establishment or modification of support obligations through the judicial process pursuant to subsection (e) below.

4) Registration of Order

A) The FSS shall register a support order entered by a court or administrative body of any other state referred for establishment and enforcement of an Illinois support obligation, on behalf of persons receiving Title IV-D services from such state, upon receipt of the following:

- i) the referring state's IV-D case name and identification number;
- ii) the names and birthdates of the persons for whom support is ordered;
- iii) a certified copy of the support order with all modifications;
- iv) a certified copy of an order for withholding, if any, still in effect;
- v) a certified copy of the payment record or, if there is no payment record, an affidavit attesting to the amount of arrearage which has accrued under the support order;
- vi) the name, address, and social security number of the responsible relative; and
- vii) the name and address of the responsible relative's employer or any other source of income of the relative from which withholding may be effected, if known.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.60

Establishment and Modification-of Support Obligations (Cont'd)

- B) When registered such order shall become an administrative support order of the Department. The FSS shall enter a separate administrative support order of the Department which shall contain the terms of the registered order.
- 5) An administrative support order shall include the following:
- A) the Title IV-D case name and identification number;
 - B) the names and birthdates of the persons for whom support is ordered;
 - C) the beginning date, amount and frequency of support;
 - D) the manner in which support payments are to be made; and
 - E) a statement informing the responsible relative that he has 30 days from the date of mailing of the administrative support order in which to petition the Department for a release from or modification of the order and receive a hearing in accordance with 89 Ill. Adm. Code 104.102.
- 6) Upon entry of any administrative support order, the FSS shall enter a separate administrative order for withholding, based upon and in the same manner as prescribed in Section 160.75. The order shall inform the responsible relative of the grounds for a petition and the time within which to petition the Department to stay service of or to modify, suspend or terminate the order for withholding, or to stay service of the notice of delinquency and receive a hearing in accordance with 89 Ill. Adm. Code 104.104.
- 7) The FSS shall provide to each responsible relative a copy of each administrative order for support and for withholding entered by:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.60

Establishment and Modification-of Support Obligations (Cont'd)

- A) delivery at the conclusion of an interview where financial ability to support was determined. An acknowledgment of receipt signed by the relative or an affidavit of delivery signed by the FSS shall be sufficient for purposes of notice.
- B) certified mail where the relative fails or refuses to accept delivery or the orders are entered by default.
- C) service in the case of registration of the support orders of another state. A copy of such state's orders shall be served with those of the Department.
- 8) The FSS shall provide to each Title IV-D client a copy of each administrative order for support and for withholding entered.
- e) Judicial Process
- 1) Department FSS's shall refer Title IV-D cases for court action to establish and modify support obligations of responsible relatives, pursuant to the support statutes (See subsection (a)(3) above) in matters requiring the determination of parentage, in those wherein the court has acquired jurisdiction previously and in instances described in subsection (d)(3)(C) above.
 - 2) The FSS shall prepare and transmit pleadings and obtain or affix appropriate signature thereto which pleadings shall include, but not be limited to, petitions to:
 - A) intervene;
 - B) modify;
 - C) change payment path;
 - D) establish an order for support;
 - E) establish retroactive support;

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.60 Establishment and Modification of Support Obligations (Cont'd)

- F) establish past-due support;
- G) obtain an order for withholding;
- H) establish parentage;
- I) obtain a rule to show cause; and
- J) combinations of the above.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 160.65 Modification of Support Obligations

a) Definitions

- 1) "Order for support" means any Illinois court or administrative order for child support.
- 2) "Order for withholding" means any Illinois court or administrative order for withholding.
- 3) "Payment received" means any child support payment except intercepts of federal income tax refunds, State Comptroller payments and unemployment insurance benefits.
- 4) "Quantitative Standard for Review" means the current financial ability of the responsible relative, as determined through automated or manual review, is at least 10% above or below the existing order for support and the change is an amount equal to at least \$5.00 a month.
- 5) "Automated review" means initial review of financial ability as described in subsection (c) below.
- 6) "Manual review" means the FSS determination of financial ability as described in subsection (g) below.
- 7) "Health insurance" means health insurance

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.65 Modification of Support Obligations (Cont'd)

coverage for the dependent child(ren) for whom support is sought.

- 8) "Health insurance at reasonable cost" means health insurance coverage available through employment or other group health insurance, regardless of service delivery mechanism.

b) Programs for Review and Modification of Support Obligations

- 1) The Department shall conduct a demonstration project for the development and evaluation of a process to review and modify orders for support in those cases in which the responsible relative resides in Illinois.

A) The locations for the demonstration project are Cook County and the 6th Judicial Circuit (DeWitt, Champaign, Moultrie, Piatt, Macon and Douglas Counties).

B) The demonstration project shall be conducted through the period ending September 30, 1991.

C) Title IV-D cases with existing orders for support which are at least 30 months old as of September 30, 1989 shall be subject to review to determine whether or not the amount of the court or administrative order should be raised or lowered.

D) A one time random selection of cases subject to review shall be made as follows:

i) In Cook County, the experimental group shall consist of 25% of the cases subject to review, and an additional 25% shall be designated as the control group. The remaining 50% of the cases shall not be included in the project.

ii) In the Sixth Judicial Circuit, the experimental groups shall consist of all cases subject to review. A comparison group shall be comprised of

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.65

Modification of Support Obligations (Cont'd)

all active IV-D cases in the Sixth Judicial Circuit that had child support modifications during the period October 1, 1988 through December 31, 1989.

E)

The Department shall determine, for each project location, the number of cases in which initial reviews will be conducted each month, and shall prioritize the selection of those cases from the experimental groups as follows:

i) Cases in which the order for support does not require the responsible relative to provide health insurance for the child(ren) covered by the order, an order for withholding has been served on the relative's payor of income and payments pursuant to the order have been received by the Department within the 90 days prior to selection.

ii) Cases with the same circumstances set forth in subsection (b)(1)(E)(i) above except that payments have not been received by the Department within the 90 days prior to selection.

iii) Cases in which the order for support requires the responsible relative to provide health insurance for the child(ren) covered by the order, an order for withholding has been served on the relative's payor of income and payments have been received by the Department within the 90 days prior to selection.

iv) Cases with the same circumstances set forth in subsection (b)(1)(E)(iii) above, except that payments have not been received by the Department within 90 days prior to selection.

v) Cases in which the responsible

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.65

Modification of Support Obligations (Cont'd)

relative's payor of income has been identified, but an order for withholding has not been served.

vi) Cases in which the responsible relatives' payor of income has been identified, but an order for withholding has not been entered.

vii) Cases in which the existing order for support was entered by the court before September 12, 1984, the effective date of the child support guidelines set forth in Section 505 of the Illinois Marriage and Dissolution of Marriage Act (Ill. Rev. Stat. 1989, ch. 40, par. 505).

viii) Cases in which the amount of current support required under the existing order for support is over zero, but less than \$80 per month.

ix) Cases in which the oldest child that is covered by the order is between 15 and 17 years of age at the time of the monthly selection.

x) Cases in which the current support amount is zero or the responsible relative's income is unknown.

xi) All other cases in the experimental group.

2) The Department, for the three year period beginning October 1, 1990 and ending September 30, 1993, shall review all orders for support not included in the demonstration project as described in subsection (b)(1) above. The Department shall proceed as follows:

A) select each month all orders which are more than 30 months old since establishment, modification, or the last review, whichever comes later; and

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Section 160.65 Modification of Support Obligations (Cont'd)Section 160.65 Modification of Support Obligations (Cont'd)

B) shall prioritize all orders for support in accordance with subsection (b)(1)(E) above; and

responsible relative financial information from existing federal and State sources (e.g. Illinois Department of Employment Security) through electronic data searches on all IV-D cases set forth in subsection (b) above.

C) shall determine for each child support region the number of cases in which initial reviews will be conducted each month.

2) The initial review shall consist of an electronic calculation of the responsible relative's financial ability, in accordance with the guidelines set forth in Section 160.60(c) using the information obtained through the data searches provided for in subsection (c)(1) above.

3) Cases selected for the experimental and control groups in the demonstration project in Cook County as well as the experimental group in the Sixth Judicial Circuit will not be subject to review in accordance with subsection (b)(2) above through the period ending September 30, 1991.

A) The remaining 50% of cases not selected for the Cook County experimental or control group and the comparison cases for the Sixth Judicial Circuit will be subject to review under subsection (b)(2) above.

B) All cases will be subject to review in accordance with subsection (b)(2) above after September 30, 1991.

4) The Department, beginning October 1, 1993 shall review all orders for support no later than 30 months after establishment, modification, or the last review, whichever comes later. The Department shall give priority to existing orders for support that do not include health insurance and that have a high potential to obtain such insurance at reasonable cost by selecting active IV-D cases with the same circumstances set forth in subsection (b)(1)(E)(i) and (ii) above.

A) In all IV-D AFDC cases in which the initial review met the Quantitative Standard for Review, the notice shall state that the Department will conduct a further review to verify information and determine the responsible relative's current financial ability in accordance with the guidelines as set forth in Section 160.60(c).

B) In all other IV-D cases in which the initial review met the Quantitative Standard for Review, the notice shall state that the Department will conduct a further review and seek modification only upon request of the client or responsible relative received by the Department within 30 days of the date of the notice.

5) The Department shall review any order for support whenever any change in financial circumstances of the relative becomes known through representations of the relative or of the IV-D client or from independent sources and such change would materially affect ability to support.

C) In all IV-D cases in which the initial review did not meet the Quantitative Standard for Review, the notice shall state that since modification is not indicated the Department will proceed, only upon request of the client or the responsible relative received by the Department within 30 days of the date of the notice.

c) Initial Review

1) The Department shall capture all available

NOTICE OF PROPOSED AMENDMENTS

Section 160.65

Modification of Support Obligations (Cont'd)

- 2) The Department shall include with the notice of initial review results:
- A) A copy of the electronic calculation of the responsible relative's financial ability; and
 - B) A form financial affidavit.
- i) In AFDC cases in which the initial review met the Quantitative Standard for Review, a request that the Client and responsible relative complete the affidavit and return it to the Department within 30 days of the date of the notice.
- ii) In all other IV-D cases, the client and responsible relative are advised that if a further review is being requested, the affidavit must be completed and returned to the Department within 30 days of the date of the notice.
- 3) The notice to the client and responsible relative shall state that if, as a result of further review, action is taken to modify the existing order for support, the Department will order or request the court to order the responsible relative to provide health insurance coverage. However, in cases where the client is not receiving medical assistance the notice shall state that health insurance will be ordered or requested only with the client's consent, as provided in Section 160.60(c)(7).
- e) Employer Contact
- 1) The Department shall issue a subpoena duces tecum to the responsible relative's employer at the same time notice of initial review is sent to the client and responsible relative, and whenever a change in the responsible relative's employer becomes known during the course of review. The subpoena shall:
 - A) require production of responsible relative

NOTICE OF PROPOSED AMENDMENTS

Section 160.65

Modification of Support Obligations (Cont'd)

- employment records with information including, but not limited to:
- i) the period of employment;
 - ii) the frequency of wage payments;
 - iii) gross wages, net pay and all deductions taken in reaching net pay;
 - iv) the number of dependent exemptions claimed by the responsible relative; and
 - v) health insurance coverage available to the responsible relative through the employer.
- B) allow, in lieu of producing records, the completion and return of a form response to subpoena duces tecum providing responsible relative employment information.
- C) require employer compliance within 30 days of the date of the subpoena.
- 2) The FSS shall contact the responsible relative's employer by mail or telephone whenever necessary to obtain clarification of employment records or the response to subpoena duces tecum.
- f) Initial Actions taken by the Department
- 1) The Department shall notify each client and responsible relative of the results of the initial review at least 30 days prior to the FSS determination of financial ability.
 - 2) Each client and responsible relative shall be advised of the right to request a review.
 - 3) All cases will be reviewed upon the request of either the client or responsible relative.
 - 4) All AFDC cases will be reviewed without the request of either the client or responsible relative, except in cases when it is not in the

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.65 Modification of Support Obligations (Cont'd)

best interests of the child(ren).

- 5) Each client and responsible relative shall be advised of the right to contest the results of the review at least 30 days prior to the date the modification or the decision not to modify becomes final.

g) FSS Determination of Financial Ability

- 1) The FSS shall review any financial information concerning the responsible relative. Where the responsible relative's information is not verified through an employer, wage stubs or income tax returns, the FSS shall seek other verification, e.g., subpoena of the responsible relative's income tax return.

- 2) The FSS shall determine the responsible relative's current financial ability in accordance with the guidelines contained in Section 160.60(c).

- 3) The FSS shall compare the responsible relative's current financial ability to the amount of the existing order for support and determine if the Quantitative Standard for Review has been met.

h) Notice of FSS determination of Financial Ability

The Department shall inform the client and responsible relative of the results of the FSS determination and provide a copy of the calculation. The client and responsible relative will be advised whether the Department will proceed to modify the existing order for support and of the right to contest the determination.

- 1) When the FSS determination of current financial ability indicates the Quantitative Standard for Review has not been met, the client and responsible relative, in both judicial and administrative cases, are advised as follows:

- A) The Department will not proceed to modify the order for support.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.65 Modification of Support Obligations (Cont'd)

- B) Either party may request a redetermination within 30 days of the date of the notice by:

- i) signing and returning the request for a redetermination to the Department; and
 ii) providing financial documentation not furnished previously which will substantiate the request.

- 2) When the FSS determination of current financial ability indicates the Quantitative Standard for Review has been met, the client and responsible relative will be advised that:

- A) The Department will proceed to modify the existing order for support in accordance with the FSS determination.

- B) In cases involving the judicial process, each party will be informed 30 days in advance of the hearing date and will have the opportunity to contest the FSS determination at that time.

- C) In cases where an administrative order for support is entered in accordance with subsection (i) below:

- i) The client is advised of the right to request a redetermination within 30 days of the date of mailing of the notice and administrative order for support by signing and returning the request for redetermination to the Department and providing financial documentation not furnished previously which will substantiate the request.

- ii) The responsible relative is advised that he has 30 days from the date of mailing of the administrative order for support in which to petition the Department for a release from or modification of the order and receive a

NOTICE OF PROPOSED AMENDMENTS

Section 160.65

Modification of Support Obligations (Cont'd)

hearing in accordance with 89 Ill. Adm. Code 104.102.

- iii) Where the client requests a redetermination and the responsible relative requests a hearing, the two requests shall be merged and shall be disposed of simultaneously by the hearing proceeding. The client shall be advised further of the right to present evidence at the hearing.
- iv) Where the responsible relative requests a hearing and the client does not request a redetermination, the client shall be advised further of the right to present evidence at the hearing.
- v) Where the client requests a redetermination and the responsible relative does not request a hearing, any change shall result in, or have the effect of, the issuance of a new administrative order for support. The responsible relative shall be advised further of the right to request a hearing and the client of the right to present evidence at the hearing.
- 3) For purposes of calculating the 30 day period in which to petition the Department for release from or modification of the administrative order for support or to request redetermination of the FSS determination of financial ability, the day immediately subsequent to the mailing of the order or determination shall be considered the first day and the day such request is received by the Department shall be considered as the last day.
- i) Further Actions Taken by the Department
- 1) The Department shall take the following action when the FSS has determined in accordance with subsection (g) above that the Quantitative Standard for Review has been met:

NOTICE OF PROPOSED AMENDMENTS

Section 160.65

Modification of Support Obligations (Cont'd)

A) In a case involving an order for support entered by the court, the FSS shall:

- i) prepare a petition to modify, and obtain or affix appropriate signature thereto;
- ii) refer the case for legal action to modify child support pursuant to Section 510 of the Illinois Marriage and Dissolution of Marriage Act (Ill. Rev. Stat. 1989, ch. 40, par. 510); and
- iii) provide the client and responsible relative with the notice described in subsection (h)(2)(B) above.
- B) In a case involving an administrative order for support established under Section 160.60(d), or modified under this rule, the FSS shall enter an administrative order for support incorporating the responsible relative's current financial ability as the new support amount and containing the information specified in Section 160.60(d)(5).

- i) The FSS shall also enter an administrative order for withholding in accordance with Section 160.60(d)(6).
- ii) The FSS shall provide to the client and responsible relative copies of the administrative order for support and for withholding together with the notice described in subsection (h)(2)(C) above.

- 2) In IV-D cases where the client is neither an applicant for nor a recipient of medical assistance, the Department shall enter or request the court to enter a support order requiring the relative to provide health insurance with the client's consent.
- 3) upon receipt of a petition for a release from or

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Section 160.65 Modification of Support Obligations (Cont'd)

Section 160.70 Enforcement of Support Orders (Cont'd.)

modification of an administrative order for support as described in subsection (h)(2)(C)(ii) within 30 days of the mailing of such order, the Department will provide a hearing in accordance with 89 Ill. Adm. Code 104.102. The 30 day period shall be calculated in accordance with subsection (h)(3) above.

4) Upon receipt of a request for a redetermination as set forth in subsections (h)(1)(B) and (h)(2)(C)(i) within 30 days of the mailing of the notice, the Department shall conduct such redetermination. The 30 day period shall be calculated in accordance with subsection (h)(3) above.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

SUBPART D: ENFORCEMENT OF CHILD SUPPORT ORDERS

Section 160.70 Enforcement of Support Orders

a) Definitions

The definitions contained in Section 160.60(a) are incorporated herein by reference.

b) Income Withholding

Whether using the administrative process (see Section 160.60(d)) or the judicial process (see Section 160.60(e)), the Department shall follow the procedures for withholding of income contained in Section 160.75 to enforce and collect past-due support owed by responsible relatives in IV-D cases and it shall as promptly as possible distribute all amounts collected. In addition to income as defined in Section 160.75, the Department shall proceed to collect support from the principal and income of trusts as provided by Section 2-1403 of the Code of Civil Procedure (Ill. Rev. Stat. 1987 1989, ch. 110, par. 2-1403).

c) Federal and State Income Tax Refunds and Other State Payments

1) The Department shall collect past-due support owed by responsible relatives in IV-D cases through intercept of federal and State income tax refunds and other State payments (see Section 10.05a of the State Comptroller Act (Ill. Rev. Stat. 1987 1989, ch. 15, par. 210.05a) due such relatives.

2) The Department shall submit past-due support amounts to:

A) the Department of Health and Human Services to intercept federal income tax refunds in accordance with federal instructions as follows:

i) in IV-D AFDC and IV-B IV-E foster care cases, past-due support owed for a child or for a child and the parent with whom the child is living in an amount not less than \$150 which has been in arrears for 3 months or longer; and

ii) in IV-D Non-AFDC cases, past-due support owed to or for a minor child in an amount not less than \$500.

B) the Comptroller to intercept State income tax refunds and other State payments as follows:

i) in active IV-D cases, past-due support owed in an amount not less than one month's support obligation or \$150, whichever is less; and

ii) in inactive IV-D AFDC and IV-B IV-E foster care cases, past due support owed in any amount.

iii) In cases in which the responsible relative who owes past-due support is receiving periodic payments from this State because of employment, disability, retirement or any other

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.70 Enforcement of Support Orders (Cont'd)

reason, the Department shall, upon obtaining knowledge of such circumstances, refund any amounts inadvertently intercepted to the responsible relative and proceed to collect past-due support pursuant to the income withholding provisions of the support statutes.

3) The Department shall provide the responsible relative with a notice prior to submitting a past-due support amount for intercept, which advance notice shall inform the responsible relative of the following:

- A) the IV-D case name and identification number;
- B) the past-due support amount which will be submitted for intercept;
- C) the right to contest the determination that past-due support is owed or the amount of past-due support by requesting:
 - i) a redetermination by the Department or, after such redetermination,
 - ii) an administrative review by any other state in which the support order was issued upon which the referral for federal income tax refund intercept is based, at the request of the responsible relative; and
- D) that the Internal Revenue Service will notify the responsible relative's spouse at the time of intercept regarding the steps to take to protect the share of the refund which may be payable to that spouse, in the case of a joint federal income tax return.
- 4) A request for a redetermination made within 30 days from the date of mailing of the advance notice shall stay the Department from submitting the past-due amount.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.70 Enforcement of Support Orders (Cont'd)

5) No later than 120 days after the date the redetermination was requested, the Department shall provide the responsible relative with a notice of the results of the redetermination and of the right to contest such results by requesting:

- A) a hearing by the Department within 30 days from the date of mailing of the notice; or
- B) an administrative review by any other state in which the support order was issued upon which the referral for federal income tax refund intercept is based.
- 6) If a responsible relative requests administrative review by the state in which the support order was issued upon which the referral for federal income tax refund intercept is based, the Department shall notify the state with the order of the request and shall provide that state with all necessary information within 10 days of the responsible relative's request. The Department shall be bound by the decision of the state with the order.
- 7) The Department shall proceed in accordance with 89 Ill. Adm. Code 104.103 upon receipt of a request for a hearing.
- 8) The Department shall notify:
 - A) any other state enforcing the support order when the request for intercept is submitted; and when the intercept amount is received;
 - B) the Department of Health and Human Services of any deletion of an amount submitted for federal income tax refund intercept, in accordance with federal instructions;
 - C) the Comptroller of any deletion of an amount submitted for State income tax refund or other payment intercept or any significant decrease in the amount; and

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Section 160.70 Enforcement of Support Orders (Cont'd)

Section 160.70 Enforcement of Support Orders (Cont'd)

D) the Clerk of Circuit Court of the county in which the child support order was entered of any amount intercepted for posting to the court payment record.

11110) The Department shall inform individuals who receive IV-D Non-AFDC support enforcement services, in advance, of the following:

9) The Department shall:

A) as promptly as possible refund to the responsible relative any amount intercepted found to exceed the amount of past-due support owed; and

B) equitably apportion joint State income tax refunds and other State payments based upon copies of federal and State income tax returns, including all schedules and attachments, or other evidence of ownership, such equitable apportionment to be based on the documented proportionate net income of the parties, and pay to the joint payee that portion of the amount intercepted found to be his; except that the Comptroller shall apportion such refunds and payments in matters where the intercepted funds have not yet been transferred to the Department.

10) The Department shall as promptly as possible apply collections it receives as a result of intercept under this subsection only against the past-due support amount specified in the advance notice provided the responsible relative pursuant to subsection (e)(3) above and shall promptly apply:

A) federal income tax refunds first to satisfy any IV-D AFDC or IV-B foster care assigned past-due support and then to satisfy any IV-B Non-AFDC past-due support; and

B) State income tax refunds and other State payments to satisfy any active IV-D AFDC and IV-B foster care assigned past-due support or first to satisfy active IV-B Non-AFDC past-due support and then to satisfy any IV-B AFDC and IV-B foster care assigned past-due support.

d) Unemployment Insurance Benefits

1) The Department shall collect support owed by responsible relatives in IV-D cases through intercept of unemployment insurance benefits in matters wherein the relative has accumulated a past-due support amount equal to a one month support obligation.

2) The Department shall take the following action:

A) ascertain that the responsible relative qualifies for receipt of unemployment insurance benefits through access to the Department of Employment Security's (DES) computer file.

B) contact the relative to obtain an agreement for deduction of benefits for payment of support.

C) initiate procedures for withholding of income in accordance with Section 160.75 in cases wherein the relative fails or refuses to agree to benefit deduction.

D) establish the amount to be deducted by data

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.70

Enforcement of Support Orders (Cont'd)

entry to DES's computer file, which amount shall be the lesser of:

- i) the amount of the income withholding order; or
 - ii) the amount of the child dependent's allowance, whether or not claimed.
- E) receive amounts deducted direct from DES.
- F) notify the Clerk of the Circuit Court of the county in which the child support order is registered of each collection for posting to the court payment record.
- G) post each collection to the Department's payment record.
- H) apply each collection to the current support obligation, then to past-due obligations.
- I) provide a redetermination within 180 days from the date of request for redetermination to each relative who disputes the deduction and, where indicated, make adjustments and refund improperly deducted amounts.

3) The Department of Employment Security shall take the following action:

- A) provide notice to the responsible relative and an opportunity to be heard, when the Department cannot resolve the dispute.
- B) pay all amounts deducted direct to the Department.

e) Contempt of Court and Other Legal Proceedings

- 1) The Department shall refer IV-D cases to its legal representatives to initiate contempt of court and other legal proceedings, pursuant to the applicable provisions of the support statutes, for enforcement of orders for support in matters wherein the responsible relative has

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.70 Enforcement of Support Orders (Cont'd)

accumulated a past-due support amount equal to not less than a one month support obligation; except as set forth in subsection (2) below.

2) Contempt proceedings shall not be used in the following instances:

- A) the responsible relative has no known available income or assets from which to satisfy the support obligation and is:
 - i) receiving public assistance;
 - ii) mentally or physically disabled;
 - iii) incarcerated;
 - iv) out-of-the-country;
 - v) deceased; or
 - vi) otherwise situated making such action unproductive.
- B) other legal or administrative remedies are more appropriate under the circumstances.

3) Contempt and other legal proceedings shall be used to:

- A) establish the amount of past-due support;
- B) obtain a judgment for purposes of:
 - i) imposition of a lien against real estate,
 - ii) levy upon real estate and personal property, or
 - iii) registration in another state;
- C) secure an order for lump sum or periodic payment of the past-due support or judgment;
- D) require the responsible relative to post

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.70

Enforcement of Support Orders (Cont'd)

security, bond or give some other guarantee of a character and amount sufficient to assure payment of any amount due under the support order;

E) obtain full or partial payment of past due support through incarceration;

F) ascertain the responsible relative's source and amount of income or location and value of assets;

G) secure other enforcement relief; and

H) obtain any combination of the above.

4) During the course of contempt or other legal proceedings to enforce support, if it shall appear that there is no net income because of the unemployment of a responsible relative, who resides in Illinois and is not receiving General Assistance in the City of Chicago and has children receiving AFDC in Illinois, the Department shall request the court to order the relative to report for participation in job search, training or work programs established for such relatives under Section 9-6 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987 1989, ch. 23, par. 9-6).

f) Liens Against Real Estate and Personal Property

1) The Department shall seek judgment liens against real estate and enforce judgments upon the real estate and personal property of responsible relatives, in IV-D cases in which a referral has been made to initiate court enforcement of an order for support, in accordance with Article XII of the Code of Civil Procedure (Ill. Rev. Stat. 1987 1989, ch. 110, par. 12-101 et seq.).

2) A petition for a rule to show cause or other petition filed by a Department legal representative to enforce an order for support shall contain a prayer that judgment be entered against the responsible relative in the amount of

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.70

Enforcement of Support Orders (Cont'd)

the past-due support alleged in the petition, when both of the following circumstances exist:

A) the past-due amount equals one year's support obligation under the order for support or \$2,000, whichever is less; and

B) the responsible relative has an interest in real estate or personal property against which the judgment may be enforced.

3) Upon obtaining a judgment, Department legal representatives shall secure liens against the real estate of responsible relatives by filing a transcript, certified copy, or memorandum of judgment in the county wherein the real estate is located, in accordance with law (see Article XII of the Code of Civil Procedure (Ill. Rev. Stat. 1987 1989, ch. 110, pars. 12-101 et seq.)).

4) A judgment shall be enforced by levy upon the real estate and personal property of the responsible relative in accordance with law (see Article XII of the Code of Civil Procedure (Ill. Rev. Stat. 1987 1989, ch. 110, pars. 12-101 et seq.)) when the relative has a known equity which is not less than \$2,000 in excess of any statutory exemption.

g) Security, Bond or Other Guarantee of Payment

1) Except as provided in subsections (2) and (3) below, the Department shall require, or through its legal representative shall request the court to require, a responsible relative to post security, bond, or give some other guarantee of a character and amount sufficient to assure payment of any amount due under a support order in IV-D cases, pursuant to Section 10-17.4 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987 1989, ch. 23, par. 10-17.4).

2) In cases in which the support obligation is established through the administrative process contained in Section 160.60, the notice of support obligation provided to the responsible

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.70 Enforcement of Support Orders (Cont'd)

relative shall indicate that the Department may require the relative to post security, bond or give some other guarantee of payment. Except where the responsible relative is subject to income withholding, the administrative support order shall contain this requirement in an amount equal to a one year support obligation.

- 3) In acting upon a referral to establish a support obligation or to enforce an existing order for support, Department legal representatives shall include in the complaint or petition a prayer for an order requiring the responsible relative to post security, bond, or give some other guarantee of payment equal to a one year support obligation, unless the relative is subject to the income withholding provisions of the support statutes.

h) Past-Due Support Information to Consumer Reporting Agencies

- 1) The Department shall, upon request of consumer reporting agencies, provide the following information concerning the payment records of responsible relatives in IV-D cases to such agencies when the amount of past-due support exceeds \$1,000:

- A) the name, last known address and Social Security Number of the responsible relative; and
 - B) the terms and amount of past-due support which has accumulated under the order for support.
- 2) The Department shall provide the responsible relative with a notice at least 30 days prior to furnishing past-due support information to consumer reporting agencies, which advance notice shall inform the relative of the following:

- A) the IV-D case name and identification number;

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.70 Enforcement of Support Orders (Cont'd)

- B) the past-due support amount which will be reported;
- C) the date past-due support will be reported; and
- D) the right to prevent reporting by payment of the past-due support amount in full or to contest the determination that past-due support is owed or the amount of past-due support by requesting a redetermination by the Department.

- 3) The Department shall provide the responsible relative with notice of the results of the redetermination and the right to prevent reporting by payment in full of the past-due support found to be owed or to contest the results of the redetermination by requesting a hearing within 30 days from the date of mailing of the notice.

- 4) The Department shall proceed in accordance with 89 Ill. Adm. Code 104.103 upon receipt of a request for a hearing.

- 5) The Department shall be stayed from providing information to consumer reporting agencies by either of the following:

- A) a request for
 - i) a redetermination, or
 - ii) a hearing contesting the determination that past-due support is owed or the amount of past-due support; or
- B) payment in full of the amount of the past-due support stated in the
 - i) advance notice, or
 - ii) notice of redetermination or hearing results.

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Section 160.70 Enforcement of Support Orders (Cont'd)

Section 160.100 Distribution Of Child Support For AFDC Recipients (Cont'd)

- 6) The Department shall advise consumer reporting agencies of changes in the amount of past-due support found to be owed as a result of a redetermination or hearing conducted after report to such agencies.

i) Other Remedies

The Department shall pursue any other remedies provided for by law to enforce and collect past-due support owed by responsible relatives in IV-D cases.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

SUBPART F: DISTRIBUTION OF SUPPORT COLLECTIONS

Section 160.100 Distribution Of Child Support For AFDC Recipients

- a) For the purposes of distribution under this Section, amounts collected shall be treated first as payment on the required support obligation for the month in which the child support was collected and if any amounts are collected which are in excess of such amount, these excess amounts shall be treated as amounts which represent payment on the required support obligation for previous months. ~~Effective June 9, 1988, the date of collection shall be the date on which payment is received by the clerk of the circuit court or the Department, whichever occurs first.~~ Date of collection shall be as defined in Section 160.5.

- b) Child support payments which are received by the Department for a month in which a client is an AFDC recipient shall be distributed as follows:

- 1) Pass Through: Of any amount that is collected in a month which represents payment on the required support obligation for that month, the first \$50.00 of such amount shall be paid to the family. ~~This One payment will be forwarded to the family in the second (2nd) month following the month the child support payment is collected within fifteen (15) calendar days of~~

the date of initial receipt in the State (See Section 160.5) of the first \$50 of support collected in a month, or, if less than \$50 is collected in a month, within fifteen (15) calendar days of the end of the month in which

the support is collected. This payment will be disregarded when determining eligibility for AFDC and the amount of the AFDC grant. If the amount collected includes payment on the required support obligation for a previous month or months, the family shall only receive the first \$50.00 of the amount which represents the required support obligation for the month in which the support was collected. If amounts are collected for a single filing unit (see 89 Ill. Adm. Code 112.300(b)) which represent support payments from two or more responsible relatives, only the first \$50.00 of the amount collected which represents the total required support obligation for the month in which the support was collected shall be paid to the family under this subsection. No payment shall be made to a family under this subsection for a month in which there is no child support collection.

- 2) Reimbursement of Current AFDC: If the amount of child support collected in a month on behalf of an AFDC recipient exceeds the amount to be paid to the family pursuant to subsection (b)(1), the excess shall be retained by the Department to reimburse the Department for the assistance payment for the month in which the support was collected or the next month.

- 3) Current Excess: If the amount of child support collected in a month on behalf of an AFDC recipient exceeds the amount to be distributed pursuant to subsections (b)(1) and (b)(2) above, the family shall be paid such excess up to the difference between the AFDC grant for the month in which the amount of the collection was used to redetermine eligibility for AFDC (see 45-CFR-302.327(f)(987)) and the court ordered amount for that month. ~~This payment shall be forwarded to the family in the month following the month in~~

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.100 Distribution Of Child Support For AFDC Recipients (Cont'd)

~~Which the amount of the collection was used to determine eligibility for the family. If such court ordered amount is less than the AFDC grant, no amount shall be paid to the family under this subsection. In those cases where there is no court order, the family shall not be paid any amount under this subsection.~~

- 4) Reimbursement of Past AFDC: If the amount of child support collected in a month on behalf of an AFDC recipient is in excess of the amount required to be distributed pursuant to subsections (b)(1) through (b)(3) above, any such excess shall be retained by the Department as reimbursement for past assistance payments made to the family for which the Department has not been reimbursed. The Department will apply the amount retained to any sequence of months for which the Department has not yet been reimbursed. If past assistance payments made to the family are greater than the unpaid support obligation, the maximum amount the Department can retain as reimbursement for such assistance payments is the amount of such obligation, unless amounts are collected which represent the required support obligation for periods prior to the first month in which the family received assistance, in which case such amounts can be retained by the Department to reimburse the difference between such support obligation and such assistance payments.

- 5) Past Excess: If the amount of child support collected in a month on behalf of an AFDC recipient is in excess of the amount required to be distributed pursuant to subsections (b)(1) through (b)(4) above, such excess shall be paid to the family. ~~This payment shall be made in the month following the month in which the amount of the collection was used to determine eligibility for AFDC.~~

- c) If an amount collected as support represents payment on the required support obligation for future months, the amount collected shall be applied to such future

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.100 Distribution Of Child Support For AFDC Recipients (Cont'd)

months. However, no such amounts shall be applied to future months unless amounts have been collected which fully satisfy the support obligation assigned for the current month and all past months.

- d) Identification of Child Support Payment: Any support payment issued to the family under subsections (b)(3) or (b)(5) above shall be identified on its face as being for child support.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 160.110 Distribution Of Child Support For Former AFDC Recipients Who Continue To Receive Child Support Enforcement Services

Child support payments which are received by the Department on behalf of a former AFDC recipient who continues to receive child support enforcement services, shall be distributed in accordance with the provisions of subsections (a) through (e) below.

- a) Current Support: Upon cancellation of AFDC, a client's assignment of support ceases (see Section 160.20), except with respect to the amount of any unpaid support obligation that has accrued under such assignment. For any month in which a client is not an AFDC recipient, regardless of whether such client continues to receive child support enforcement services, the client is entitled to the amount of current support paid for that month, up to the amount of the monthly support obligation for that month. Current support payments to former AFDC recipients who do receive child support enforcement services from the Department shall be issued within ~~fourteen (14)~~ fifteen (15) calendar days of initial receipt by the Department in the State.

- b) Unpaid Current Support Accrued Following Cancellation: If the amount of child support collected in a month on behalf of a former AFDC recipient who receives child support enforcement services exceeds the amount of current support distributed pursuant to subsection (a) above, the

NOTICE OF PROPOSED AMENDMENTS

Section 160.110

Distribution Of Child Support For Former AFDC Recipients Who Continue To Receive Child Support Enforcement Services (Cont'd)

client shall be paid any such amount, up to the unpaid current support obligation which has accrued for any month following cancellation of the client's AFDC case in which the client received child support enforcement services. Such payments to former AFDC recipients shall be issued within ~~fourteen (14)~~ fifteen (15) calendar days of initial receipt by the Department in the State.

c)

Unreimbursed AFDC: If the amount of child support collected in a month on behalf of a former AFDC recipient exceeds the amount to be distributed pursuant to subsections (a) and (b) above, the excess shall be retained by the Department to reimburse it for past unreimbursed AFDC. If the unpaid support obligation is greater than the past unreimbursed AFDC, then the maximum reimbursement amount is the amount of unreimbursed AFDC the Department has provided. If the past unreimbursed AFDC is greater than the unpaid support obligation, then the maximum reimbursement amount is the amount of the unpaid support obligation, unless amounts are collected which represent the required support obligation for periods prior to the first month in which the former AFDC recipient received AFDC, in which case such amounts will be retained by the Department to reimburse the difference between such support obligation and such past unreimbursed AFDC.

d)

Past Excess: If the amount of child support collected in a month on behalf of a former AFDC recipient exceeds the amount to be distributed pursuant to subsections (a), (b) and (c) above, the excess, up to the amount of the unpaid support obligation, including the unpaid obligation for months prior to the first month in which the former AFDC recipient received AFDC, shall be paid to the client. Such payments to former AFDC recipients shall be issued ~~no later than the end of the month following the month in which the support payment was received by the Department within fifteen (15) calendar days of initial receipt in the State.~~

NOTICE OF PROPOSED AMENDMENTS

Section 160.110

Distribution Of Child Support For Former AFDC Recipients Who Continue To Receive Child Support Enforcement Services (Cont'd)

e) Amounts In Excess of the Child Support Obligation: If the amount of child support collected in a month on behalf of a former AFDC recipient who continues to receive child support enforcement services exceeds the amount to be distributed pursuant to subsections (a), (b), (c) and (d) above, the excess shall be refunded, to the responsible relative.

f) Identification of Child Support Payment: Any support payment issued by the Department to a former AFDC recipient under this Section shall be identified on its face as being a child support payment.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 160.120

Distribution Of Child Support Collected While The Client Was An AFDC Recipient, But Not Yet Distributed At The Time The AFDC Case Is Cancelled

Child support payments which are received by the Department in a month in which a client is a current AFDC recipient, but which have not been distributed when the client's AFDC case is cancelled shall be distributed in accordance with 45-CFR-302.51(a)-(d)-(1)-(3)-(4)-(5)-(6)-(7)-(8)-(9)-(10)-(11)-(12)-(13)-(14)-(15)-(16)-(17)-(18)-(19)-(20)-(21)-(22)-(23)-(24)-(25)-(26)-(27)-(28)-(29)-(30)-(31)-(32)-(33)-(34)-(35)-(36)-(37)-(38)-(39)-(40)-(41)-(42)-(43)-(44)-(45)-(46)-(47)-(48)-(49)-(50)-(51)-(52)-(53)-(54)-(55)-(56)-(57)-(58)-(59)-(60)-(61)-(62)-(63)-(64)-(65)-(66)-(67)-(68)-(69)-(70)-(71)-(72)-(73)-(74)-(75)-(76)-(77)-(78)-(79)-(80)-(81)-(82)-(83)-(84)-(85)-(86)-(87)-(88)-(89)-(90)-(91)-(92)-(93)-(94)-(95)-(96)-(97)-(98)-(99)-(100)-(101)-(102)-(103)-(104)-(105)-(106)-(107)-(108)-(109)-(110)-(111)-(112)-(113)-(114)-(115)-(116)-(117)-(118)-(119)-(120)-(121)-(122)-(123)-(124)-(125)-(126)-(127)-(128)-(129)-(130)-(131)-(132)-(133)-(134)-(135)-(136)-(137)-(138)-(139)-(140)-(141)-(142)-(143)-(144)-(145)-(146)-(147)-(148)-(149)-(150)-(151)-(152)-(153)-(154)-(155)-(156)-(157)-(158)-(159)-(160)-(161)-(162)-(163)-(164)-(165)-(166)-(167)-(168)-(169)-(170)-(171)-(172)-(173)-(174)-(175)-(176)-(177)-(178)-(179)-(180)-(181)-(182)-(183)-(184)-(185)-(186)-(187)-(188)-(189)-(190)-(191)-(192)-(193)-(194)-(195)-(196)-(197)-(198)-(199)-(200)-(201)-(202)-(203)-(204)-(205)-(206)-(207)-(208)-(209)-(210)-(211)-(212)-(213)-(214)-(215)-(216)-(217)-(218)-(219)-(220)-(221)-(222)-(223)-(224)-(225)-(226)-(227)-(228)-(229)-(230)-(231)-(232)-(233)-(234)-(235)-(236)-(237)-(238)-(239)-(240)-(241)-(242)-(243)-(244)-(245)-(246)-(247)-(248)-(249)-(250)-(251)-(252)-(253)-(254)-(255)-(256)-(257)-(258)-(259)-(260)-(261)-(262)-(263)-(264)-(265)-(266)-(267)-(268)-(269)-(270)-(271)-(272)-(273)-(274)-(275)-(276)-(277)-(278)-(279)-(280)-(281)-(282)-(283)-(284)-(285)-(286)-(287)-(288)-(289)-(290)-(291)-(292)-(293)-(294)-(295)-(296)-(297)-(298)-(299)-(300)-(301)-(302)-(303)-(304)-(305)-(306)-(307)-(308)-(309)-(310)-(311)-(312)-(313)-(314)-(315)-(316)-(317)-(318)-(319)-(320)-(321)-(322)-(323)-(324)-(325)-(326)-(327)-(328)-(329)-(330)-(331)-(332)-(333)-(334)-(335)-(336)-(337)-(338)-(339)-(340)-(341)-(342)-(343)-(344)-(345)-(346)-(347)-(348)-(349)-(350)-(351)-(352)-(353)-(354)-(355)-(356)-(357)-(358)-(359)-(360)-(361)-(362)-(363)-(364)-(365)-(366)-(367)-(368)-(369)-(370)-(371)-(372)-(373)-(374)-(375)-(376)-(377)-(378)-(379)-(380)-(381)-(382)-(383)-(384)-(385)-(386)-(387)-(388)-(389)-(390)-(391)-(392)-(393)-(394)-(395)-(396)-(397)-(398)-(399)-(400)-(401)-(402)-(403)-(404)-(405)-(406)-(407)-(408)-(409)-(410)-(411)-(412)-(413)-(414)-(415)-(416)-(417)-(418)-(419)-(420)-(421)-(422)-(423)-(424)-(425)-(426)-(427)-(428)-(429)-(430)-(431)-(432)-(433)-(434)-(435)-(436)-(437)-(438)-(439)-(440)-(441)-(442)-(443)-(444)-(445)-(446)-(447)-(448)-(449)-(450)-(451)-(452)-(453)-(454)-(455)-(456)-(457)-(458)-(459)-(460)-(461)-(462)-(463)-(464)-(465)-(466)-(467)-(468)-(469)-(470)-(471)-(472)-(473)-(474)-(475)-(476)-(477)-(478)-(479)-(480)-(481)-(482)-(483)-(484)-(485)-(486)-(487)-(488)-(489)-(490)-(491)-(492)-(493)-(494)-(495)-(496)-(497)-(498)-(499)-(500)-(501)-(502)-(503)-(504)-(505)-(506)-(507)-(508)-(509)-(510)-(511)-(512)-(513)-(514)-(515)-(516)-(517)-(518)-(519)-(520)-(521)-(522)-(523)-(524)-(525)-(526)-(527)-(528)-(529)-(530)-(531)-(532)-(533)-(534)-(535)-(536)-(537)-(538)-(539)-(540)-(541)-(542)-(543)-(544)-(545)-(546)-(547)-(548)-(549)-(550)-(551)-(552)-(553)-(554)-(555)-(556)-(557)-(558)-(559)-(560)-(561)-(562)-(563)-(564)-(565)-(566)-(567)-(568)-(569)-(570)-(571)-(572)-(573)-(574)-(575)-(576)-(577)-(578)-(579)-(580)-(581)-(582)-(583)-(584)-(585)-(586)-(587)-(588)-(589)-(590)-(591)-(592)-(593)-(594)-(595)-(596)-(597)-(598)-(599)-(600)-(601)-(602)-(603)-(604)-(605)-(606)-(607)-(608)-(609)-(610)-(611)-(612)-(613)-(614)-(615)-(616)-(617)-(618)-(619)-(620)-(621)-(622)-(623)-(624)-(625)-(626)-(627)-(628)-(629)-(630)-(631)-(632)-(633)-(634)-(635)-(636)-(637)-(638)-(639)-(640)-(641)-(642)-(643)-(644)-(645)-(646)-(647)-(648)-(649)-(650)-(651)-(652)-(653)-(654)-(655)-(656)-(657)-(658)-(659)-(660)-(661)-(662)-(663)-(664)-(665)-(666)-(667)-(668)-(669)-(670)-(671)-(672)-(673)-(674)-(675)-(676)-(677)-(678)-(679)-(680)-(681)-(682)-(683)-(684)-(685)-(686)-(687)-(688)-(689)-(690)-(691)-(692)-(693)-(694)-(695)-(696)-(697)-(698)-(699)-(700)-(701)-(702)-(703)-(704)-(705)-(706)-(707)-(708)-(709)-(710)-(711)-(712)-(713)-(714)-(715)-(716)-(717)-(718)-(719)-(720)-(721)-(722)-(723)-(724)-(725)-(726)-(727)-(728)-(729)-(730)-(731)-(732)-(733)-(734)-(735)-(736)-(737)-(738)-(739)-(740)-(741)-(742)-(743)-(744)-(745)-(746)-(747)-(748)-(749)-(750)-(751)-(752)-(753)-(754)-(755)-(756)-(757)-(758)-(759)-(760)-(761)-(762)-(763)-(764)-(765)-(766)-(767)-(768)-(769)-(770)-(771)-(772)-(773)-(774)-(775)-(776)-(777)-(778)-(779)-(780)-(781)-(782)-(783)-(784)-(785)-(786)-(787)-(788)-(789)-(790)-(791)-(792)-(793)-(794)-(795)-(796)-(797)-(798)-(799)-(800)-(801)-(802)-(803)-(804)-(805)-(806)-(807)-(808)-(809)-(810)-(811)-(812)-(813)-(814)-(815)-(816)-(817)-(818)-(819)-(820)-(821)-(822)-(823)-(824)-(825)-(826)-(827)-(828)-(829)-(830)-(831)-(832)-(833)-(834)-(835)-(836)-(837)-(838)-(839)-(840)-(841)-(842)-(843)-(844)-(845)-(846)-(847)-(848)-(849)-(850)-(851)-(852)-(853)-(854)-(855)-(856)-(857)-(858)-(859)-(860)-(861)-(862)-(863)-(864)-(865)-(866)-(867)-(868)-(869)-(870)-(871)-(872)-(873)-(874)-(875)-(876)-(877)-(878)-(879)-(880)-(881)-(882)-(883)-(884)-(885)-(886)-(887)-(888)-(889)-(890)-(891)-(892)-(893)-(894)-(895)-(896)-(897)-(898)-(899)-(900)-(901)-(902)-(903)-(904)-(905)-(906)-(907)-(908)-(909)-(910)-(911)-(912)-(913)-(914)-(915)-(916)-(917)-(918)-(919)-(920)-(921)-(922)-(923)-(924)-(925)-(926)-(927)-(928)-(929)-(930)-(931)-(932)-(933)-(934)-(935)-(936)-(937)-(938)-(939)-(940)-(941)-(942)-(943)-(944)-(945)-(946)-(947)-(948)-(949)-(950)-(951)-(952)-(953)-(954)-(955)-(956)-(957)-(958)-(959)-(960)-(961)-(962)-(963)-(964)-(965)-(966)-(967)-(968)-(969)-(970)-(971)-(972)-(973)-(974)-(975)-(976)-(977)-(978)-(979)-(980)-(981)-(982)-(983)-(984)-(985)-(986)-(987)-(988)-(989)-(990)-(991)-(992)-(993)-(994)-(995)-(996)-(997)-(998)-(999)-(1000)-(1001)-(1002)-(1003)-(1004)-(1005)-(1006)-(1007)-(1008)-(1009)-(1010)-(1011)-(1012)-(1013)-(1014)-(1015)-(1016)-(1017)-(1018)-(1019)-(1020)-(1021)-(1022)-(1023)-(1024)-(1025)-(1026)-(1027)-(1028)-(1029)-(1030)-(1031)-(1032)-(1033)-(1034)-(1035)-(1036)-(1037)-(1038)-(1039)-(1040)-(1041)-(1042)-(1043)-(1044)-(1045)-(1046)-(1047)-(1048)-(1049)-(1050)-(1051)-(1052)-(1053)-(1054)-(1055)-(1056)-(1057)-(1058)-(1059)-(1060)-(1061)-(1062)-(1063)-(1064)-(1065)-(1066)-(1067)-(1068)-(1069)-(1070)-(1071)-(1072)-(1073)-(1074)-(1075)-(1076)-(1077)-(1078)-(1079)-(1080)-(1081)-(1082)-(1083)-(1084)-(1085)-(1086)-(1087)-(1088)-(1089)-(1090)-(1091)-(1092)-(1093)-(1094)-(1095)-(1096)-(1097)-(1098)-(1099)-(1100)-(1101)-(1102)-(1103)-(1104)-(1105)-(1106)-(1107)-(1108)-(1109)-(1110)-(1111)-(1112)-(1113)-(1114)-(1115)-(1116)-(1117)-(1118)-(1119)-(1120)-(1121)-(1122)-(1123)-(1124)-(1125)-(1126)-(1127)-(1128)-(1129)-(1130)-(1131)-(1132)-(1133)-(1134)-(1135)-(1136)-(1137)-(1138)-(1139)-(1140)-(1141)-(1142)-(1143)-(1144)-(1145)-(1146)-(1147)-(1148)-(1149)-(1150)-(1151)-(1152)-(1153)-(1154)-(1155)-(1156)-(1157)-(1158)-(1159)-(1160)-(1161)-(1162)-(1163)-(1164)-(1165)-(1166)-(1167)-(1168)-(1169)-(1170)-(1171)-(1172)-(1173)-(1174)-(1175)-(1176)-(1177)-(1178)-(1179)-(1180)-(1181)-(1182)-(1183)-(1184)-(1185)-(1186)-(1187)-(1188)-(1189)-(1190)-(1191)-(1192)-(1193)-(1194)-(1195)-(1196)-(1197)-(1198)-(1199)-(1200)-(1201)-(1202)-(1203)-(1204)-(1205)-(1206)-(1207)-(1208)-(1209)-(1210)-(1211)-(1212)-(1213)-(1214)-(1215)-(1216)-(1217)-(1218)-(1219)-(1220)-(1221)-(1222)-(1223)-(1224)-(1225)-(1226)-(1227)-(1228)-(1229)-(1230)-(1231)-(1232)-(1233)-(1234)-(1235)-(1236)-(1237)-(1238)-(1239)-(1240)-(1241)-(1242)-(1243)-(1244)-(1245)-(1246)-(1247)-(1248)-(1249)-(1250)-(1251)-(1252)-(1253)-(1254)-(1255)-(1256)-(1257)-(1258)-(1259)-(1260)-(1261)-(1262)-(1263)-(1264)-(1265)-(1266)-(1267)-(1268)-(1269)-(1270)-(1271)-(1272)-(1273)-(1274)-(1275)-(1276)-(1277)-(1278)-(1279)-(1280)-(1281)-(1282)-(1283)-(1284)-(1285)-(1286)-(1287)-(1288)-(1289)-(1290)-(1291)-(1292)-(1293)-(1294)-(1295)-(1296)-(1297)-(1298)-(1299)-(1300)-(1301)-(1302)-(1303)-(1304)-(1305)-(1306)-(1307)-(1308)-(1309)-(1310)-(1311)-(1312)-(1313)-(1314)-(1315)-(1316)-(1317)-(1318)-(1319)-(1320)-(1321)-(1322)-(1323)-(1324)-(1325)-(1326)-(1327)-(1328)-(1329)-(1330)-(1331)-(1332)-(1333)-(1334)-(1335)-(1336)-(1337)-(1338)-(1339)-(1340)-(1341)-(1342)-(1343)-(1344)-(1345)-(1346)-(1347)-(1348)-(1349)-(1350)-(1351)-(1352)-(1353)-(1354)-(1355)-(1356)-(1357)-(1358)-(1359)-(1360)-(1361)-(1362)-(1363)-(1364)-(1365)-(1366)-(1367)-(1368)-(1369)-(1370)-(1371)-(1372)-(1373)-(1374)-(1375)-(1376)-(1377)-(1378)-(1379)-(1380)-(1381)-(1382)-(1383)-(1384)-(1385)-(1386)-(1387)-(1388)-(1389)-(1390)-(1391)-(1392)-(1393)-(1394)-(1395)-(1396)-(1397)-(1398)-(1399)-(1400)-(1401)-(1402)-(1403)-(1404)-(1405)-(1406)-(1407)-(1408)-(1409)-(1410)-(1411)-(1412)-(1413)-(1414)-(1415)-(1416)-(1417)-(1418)-(1419)-(1420)-(1421)-(1422)-(1423)-(1424)-(1425)-(1426)-(1427)-(1428)-(1429)-(1430)-(1431)-(1432)-(1433)-(1434)-(1435)-(1436)-(1437)-(1438)-(1439)-(1440)-(1441)-(1442)-(1443)-(1444)-(1445)-(1446)-(1447)-(1448)-(1449)-(1450)-(1451)-(1452)-(1453)-(1454)-(1455)-(1456)-(1457)-(1458)-(1459)-(1460)-(1461)-(1462)-(1463)-(1464)-(1465)-(1466)-(1467)-(1468)-(1469)-(1470)-(1471)-(1472)-(1473)-(1474)-(1475)-(1476)-(1477)-(1478)-(1479)-(1480)-(1481)-(1482)-(1483)-(1484)-(1485)-(1486)-(1487)-(1488)-(1489)-(1490)-(1491)-(1492)-(1493)-(1494)-(1495)-(1496)-(1497)-(1498)-(1499)-(1500)-(1501)-(1502)-(1503)-(1504)-(1505)-(1506)-(1507)-(1508)-(1509)-(1510)-(1511)-(1512)-(1513)-(1514)-(1515)-(1516)-(1517)-(1518)-(1519)-(1520)-(1521)-(1522)-(1523)-(1524)-(1525)-(1526)-(1527)-(1528)-(1529)-(1530)-(1531)-(1532)-(1533)-(1534)-(1535)-(1536)-(1537)-(1538)-(1539)-(1540)-(1541)-(1542)-(1543)-(1544)-(1545)-(1546)-(1547)-(1548)-(1549)-(1550)-(1551)-(1552)-(1553)-(1554)-(1555)-(1556)-(1557)-(1558)-(1559)-(1560)-(1561)-(1562)-(1563)-(1564)-(1565)-(1566)-(1567)-(1568)-(1569)-(1570)-(1571)-(1572)-(1573)-(1574)-(1575)-(1576)-(1577)-(1578)-(1579)-(1580)-(1581)-(1582)-(1583)-(1584)-(1585)-(1586)-(1587)-(1588)-(1589)-(1590)-(1591)-(1592)-(1593)-(1594)-(1595)-(1596)-(1597)-(1598)-(1599)-(1600)-(1601)-(1602)-(1603)-(1604)-(1605)-(1606)-(1607)-(1608)-(1609)-(1610)-(1611)-(1612)-(1613)-(1614)-(1615)-(1616)-(1617)-(1618)-(1619)-(1620)-(1621)-(1622)-(1623)-(1624)-(1625)-(1626)-(1627)-(1628)-(1629)-(1630)-(1631)-(1632)-(1633)-(1634)-(1635)-(1636)-(1637)-(1638)-(1639)-(1640)-(1641)-(1642)-(1643)-(1644)-(1645)-(1646)-(1647)-(1648)-(1649)-(1650)-(1651)-(1652)-(1653)-(1654)-(1655)-(1656)-(1657)-(1658)-(1659)-(1660)-(1661)-(1662)-(1663)-(1664)-(1665)-(1666)-(1667)-(1668)-(1669)-(1670)-(1671)-(1672)-(1673)-(1674)-(1675)-(1676)-(1677)-(1678)-(1679)-(1680)-(1681)-(1682)-(1683)-(1684)-(1685)-(1686)-(1687)-(1688)-(1689)-(1690)-(1691)-(1692)-(1693)-(1694)-(1695)-(1696)-(1697)-(1698)-(1699)-(1700)-(1701)-(1702)-(1703)-(1704)-(1705)-(1706)-(1707)-(1708)-(1709)-(1710)-(1711)-(1712)-(1713)-(1714)-(1715)-(1716)-(1717)-(1718)-(1719)-(1720)-(1721)-(1722)-(1723)-(1724)-(1725)-(1726)-(1727)-(1728)-(1729)-(1730)-(1731)-(1732)-(1733)-(1734)-(1735)-(1736)-(1737)-(1738)-(1739)-(1740)-(1741)-(1742)-(1743)-(1744)-(1745)-(1746)-(1747)-(1748)-(1749)-(1750)-(1751)-(1752)-(1753)-(1754)-(1755)-(1756)-(1757)-(1758)-(1759)-(1760)-(1761)-(1762)-(1763)-(1764)-(1765)-(1766)-(1767)-(1768)-(1769)-(1770)-(1771)-(1772)-(1773)-(1774)-(1775)-(1776)-(1777)-(1778)-(1779)-(1780)-(1781)-(1782)-(1783)-(1784)-(1785)-(1786)-(1787)-(1788)-(1789)-(1790)-(1791)-(1792)-(1793)-(1794)-(1795)-(1796)-(1797)-(1798)-(1799)-(1800)-(1801)-(1802)-(1803)-(1804)-(1805)-(1806)-(1807)-(1808)-(1809)-(1810)-(1811)-(1812)-(1813)-(1814)-(1815)-(1816)-(1817)-(1818)-(1819)-(1820)-(1821)-(1822)-(1823)-(1824)-(1825)-(1826)-(1827)-(1828)-(1829)-(1830)-(1831)-(1832)-(1833)-(1834)-(1835)-(1836)-(1837)-(1838)-(1839)-(1840)-(1841)-(1842)-(1843)-(1844)-(1845)-(1846)-(1847)-(1848)-(1849)-(1850)-(1851)-(1852)-(1853)-(1854)-(1855)-(1856)-(1857)-(1858)-(1859)-(1860)-(1861)-(1862)-(1863)-(1864)-(1865)-(1866)-(1867)-(1868)-(1869)-(1870)-(1871)-(1872)-(1873)-(1874)-(1875)-(1876)-(1877)-(1878)-(1879)-(1880)-(1881)-(1882)-(1883)-(1884)-(1885)-(1886)-(1887)-(1888)-(1889)-(1890)-(1891)-(1892)-(1893)-(1894)-(1895)-(1896)-(1897)-(1898)-(1899)-(1900)-(1901)-(1902)-(1903)-(1904)-(1905)-(1906)-(1907)-(1908)-(1909)-(1910)-(1911)-(1912)-(1913)-(1914)-(1915)-(1916)-(1917)-(1918)-(1919)-(1920)-(1921)-(1922)-(1923)-(1924)-(1925)-(1926)-(1927)-(1928)-(1929)-(1930)-(1931)-(1932)-(1933)-(1934)-(1935)-(1936)-(1937)-(1938)-(1939)-(1940)-(1941)-(1942)-(1943)-(1944)-(1945)-(1946)-(1947)-(1948)-(1949)-(1950)-(1951)-(1952)-(1953)-(1954)-(1955)-(1956)-(1957)-(1958)-(1959)-(1960)-(1961)-(1962)-(1963)-(1964)-(1965)-(1966)-(1967)-(1968)-(1969)-(1970)-(1971)-(1972)-(1973)-(1974)-(1975)-(1976)-(1977)-(1978)-(1979)-(1980)-(1981)-(1982)-(1983)-(1984)-(1985)-(1986)-(1987)-(1988)-(1989)-(1990)-(1991)-(1992)-(1993)-(1994)-(1995)-(1996)-(1997)-(1998)-(1999)-(2000)-(2001)-(2002)-(2003)-(2004)-(2005)-(2006)-(2007)-(2008)-(2009)-(2010)-(2011)-(2012)-(2013)-(2014)-(2015)-(2016)-(2017)-(2018)-(2019)-(2020)-(2021)-(2022)-(2023)-(2024)-(2025)-(2026)-(2027)-(2028)-(2029)-(2030)-(2031)-(2032)-(2033)-(2034)-(2035)-(2036)-(2037)-(2038)-(2039)-(2040)-(2041)-(2042)-(2043)-(2044)-(2045)-(2046)-(2047)-(2048)-(2049)-(2050)-(2051)-(2052)-(2053)-(2054)-(2055)-(2056)-(2057)-(2058)-(2059)-(2060)-(2061)-(2062)-(2063)-(2064)-(2065)-(2066)-(2067)-(2068)-(2069)-(2070)-(2071)-(2072)-(2073)-(2074)-(2075)-(2076)-(2077)-(2078)-(2079)-(2080)-(2081)-(2082)-(2083)-(2084)-(2085)-(2086)-(2087)-(2088)-(2089)-(2090)-(2091)-(2092)-(2093)-(2094)-(2095)-(2096)-(2097)-(2098)-(2099)-(2100)-(2101)-(2102)-(2103)-(2104)-(2105)-(2106)-(2107)-(2108)-(2109)-(2110)-(2111)-(2112)-(2113)-(2114)-(2115)-(2116)-(2117)-(2118)-(2119)-(2120)-(2121)-(2122)-(2123)-(2124)-(2125)-(2126)-(2127)-(2128)-(2129)-(2130)-(2131)-(2132)-(2133)-(2134)-(2135)-(2136)-(2137)-(2138)-(2139)-(2140)-(2141)-(2142)-(2143)-(2144)-(2145)-(2146)-(2147)-(2148)-(2149)-(2150)-(2151)-(2152)-(2153)-(2154)-(2155)-(2156)-(2157)-(2158)-(2159)-(2160)-(2161)-(2162)-(2163)-(2164)-(2165)-(2166)-(2167)-(2168)-(2169)-(2170)-(2171)-(2172)-(2173)-(2174)-(2175)-(2176)-(2177)-(2178)-(2179)-(2180)-(2181)-(2182)-(2183)-(2184)-(2185)-(2186)-(2187)-(2188)-(2189)-(2190)-(2191)-(2192)-(2193)-(2194)-(2195)-(2196)-(2197)-(2198)-(2199)-(2200)-(2201)-(2202)-(2203)-(2204)-(2205)-(2206)-(2207)-(2208)-(2209)-(2210)-(2211)-(2212)-(2213)-(2214)-(2215)-(2216)-(2217)-(2218)-(2219)-(2220)-(2221)-(2222)-(2223)-(2224)-(2225)-(2226)-(2227)-(2228)-(2229)-(2230)-(2231)-(2232)-(2233)-(2234)-(2235)-(2236)-(2237)-(2238)-(2239)-(2240)-(2241)-(2242)-(2243)-(2244)-(2245)-(2246)-(2247)-(2248)-(2249)-(2250)-(2251)-(2252)-(2253)-(2254)-(2255)-(2256)-(2257)-(2258)-(2259)-(2260)-(2261)-(2262)-(2263)-(2264)-(2265)-(2266)-(2267)-(2268)-(2269)-(2270)-(2271)-(2272)-(2273)-(2274)-(2275)-(2276)-(2277)-(2278)-(2279)-(2280)-(2281)-(2282)-(2283)-(2284)-(2285)-(2286)-(2287)-(2288)-(2289)-(2290)-(2291)-(2292)-(2293)-(2294)-(2295)-(2296)-(2297)-(2298)-(2299)-(2300)-(2301)-(2302)-(2303)-(2304)-(2305)-(2306)-(2307)-(2308)-(2309)-(2310)-(2311)-(2312)-(2313)-(2314)-(2315)-(2316)-(2317)-(2318)-(2319)-(2320)-(2321)-(2322)-(2323)-(2324)-(2325)-(2326)-(2327)-(2328)-(2329)-(2330)-(2331)-(2332)-(2333)-(2334)-(2335)-(2336)-(2337)-(2338)-(2339)-(2340)-(2341)-(2342)-(2343)-(2344)-(2345)-(2346)-(2347)-(2348)-(2349)-(2350)-(2351)-(2352)-(2353)-(2354)-(2355)-(2356)-(2357)-(2358)-(2359)-(2360)-(2361)-(2362)-(2363)-(2364)-(2365)-(2366)-(2367)-(2368)-(2369)-(2370)-(2371)-(2372)-(2373)-(2374)-(2375)-(2376)-(2377)-(2378)-(2379)-(2380)-(2381)-(2382)-(2383)-(2384)-(2385)-(2386)-(2387)-(2388)-(2389)-(2390)-(2391)-(2392)-(2393)-(2394)-(2395)-(2396)-(2397)-(2398)-(2399)-(2400)-(2401)-(2402)-(2403)-(2404)-(2405)-(2406)-(2407)-(2408)-(24

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.120 Distribution Of Child Support Collected While The Client Was An AFDC Recipient, But Not Yet Distributed At The Time The AFDC Case Is Cancelled (Cont'd)

State of a collection for the first month of ineligibility.

- c) Child support to which a former AFDC recipient is entitled pursuant to 45-CFR-302.514(a)(5)(1987) Section 160.100(b)(5) ("past excess") shall be issued within four (4) months following the month in which the support payment was collected fifteen (15) calendar days of the date of the initial receipt in the State of a collection for the first month of ineligibility.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 160.130 Distribution Of Intercepted Income Tax Refunds and Other State Payments

The Department shall as promptly as possible apply collections it receives as a result of intercept of State and Federal income tax refunds and other State payments under Section 160.70 only against the past-due support amount specified in the advance notice provided the responsible relative (see Section 160.70(c)(3)) and shall promptly apply.

- a) ~~Federal~~ Federal income tax refunds shall be applied first to satisfy any IV-D AFDC or IV-E foster care assigned past-due support and then to satisfy any IV-D Non-AFDC past-due support.

- b) State income tax refunds and other State payments shall be applied to satisfy any active IV-D AFDC and IV-E foster care assigned past-due support, or first to satisfy active IV-D Non-AFDC past-due support and then to satisfy any IV-D AFDC and IV-E foster care assigned past-due support and.

- c) ~~State income tax refunds and other State payments to reimburse any cancelled IV-D AFDC or IV-E foster care debt owed to the State.~~ The Department shall send payments made to a IV-D client or DCFS as a result of the intercept of Federal or State income tax refunds and other State payments within thirty (30) calendar days of initial receipt by the Department, except as described in subsection (d) below.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.130 Distribution Of Intercepted Income Tax Refunds and Other State Payments (Cont'd)

- d) When a responsible relative initiates the review process under Section 160.70(c)(3)(C) between (1) the date of the tax refund intercept and (2) the date the Department disburses the intercepted funds or the 30th calendar day after the Department's initial receipt of such funds, whichever first occurs, the Department shall send any funds determined to be due the IV-D client or DCFS within fifteen (15) calendar days after the review process concludes.

- e) If the Department is notified by the federal Office of Child Support Enforcement that an intercept to satisfy IV-D non-AFDC past-due support is being made from a refund based on a joint return, the Department may delay distribution of the federal tax refund intercept (1) until it is notified that the unobligated spouse's proper share of the refund has been paid or (2) for a period not to exceed 6 months from notification of the intercept, whichever first occurs.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 160.132 Distribution of Child Support for Non-AFDC Clients

Child support payments which are received by the Department on behalf of a client who has never been an AFDC recipient shall be distributed in accordance with the timeframes and provisions of subsections a) through c) below.

- a) Current support: The Non-Assistance client is entitled to receive an amount of money equal to the monthly support obligation amount that is collected for current support. The entire amount of the current support collected shall be sent to the client within fifteen (15) calendar days from the date of initial receipt in the State.

- b) Past support: Any amount in excess of the current support obligation is applied to past support owed the non-AFDC client and shall be sent to the client within fifteen (15) calendar days from the date of initial receipt in the State.

- c) Future support: If an amount collected as support

NOTICE OF PROPOSED AMENDMENTS

Section 160.132 Distribution of Child Support for Non-AFDC Clients (Cont'd)

represent payment on the required support obligation for future months, the amount collected shall be applied to future months and shall be sent to the client within fifteen (15) calendar days from the date of the initial receipt in the State.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 160.134 Distribution of Child Support For Interstate Cases

Child support payments which are received by the Department on behalf of an initiating State shall be forwarded to the initiating State within fifteen (15) calendar days from the date of initial receipt in this State.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 160.136 Distribution of Support Collected in IV-E Foster Care Maintenance Cases

a) For purposes of distribution under this Section, amounts collected in IV-E foster care maintenance cases shall be treated in accordance with the provision of Section 160.100(a).

b) The amounts collected as support by the Department on behalf of children for whom the State is making IV-E foster care maintenance payments and for whom an assignment is effective shall be distributed as follows:

1) Reimbursement of current IV-E foster care maintenance: The amount of child support that is collected in a month which represents payment on the required support obligation for that month, shall be forwarded to DCFS and retained by DCFS to reimburse itself for IV-E foster care maintenance payments.

2) Current excess: If the amount of child support collected in a month on behalf of a foster care dependent is in excess of the monthly amount of

NOTICE OF PROPOSED AMENDMENTS

Section 160.136 Distribution of Support Collected in IV-E Foster Care Maintenance Cases (Cont'd)

the IV-E foster care maintenance payment but not more than the monthly support obligation, the Department shall pay within fifteen (15) calendar days of the date of initial receipt in the State the excess to DCFS which will use the money in the best interests of the child.

3) Reimbursement of past IV-E foster care maintenance: If the amount of child support collected in a month on behalf of a foster care dependent exceeds the amount required to be distributed under subsections (b)(1) and (2) above, but not the total unreimbursed AFDC care maintenance payments or unreimbursed AFDC provided, the Department and DCFS shall retain any such excess as reimbursement for these payments. If past assistance or IV-E foster care maintenance payments are greater than the total support obligation owed, the maximum amount the Department or DCFS may retain as reimbursement for such payments is the amount of such obligation. If amounts are collected which represent the required support obligation for periods prior to the first month in which the family received AFDC or IV-E foster care maintenance payments, such amounts may be retained by the Department and DCFS to reimburse the difference between such support obligation and such payments.

4) Past excess: If the amount of child support collected in a month on behalf of a foster care dependent is in excess of the amount required to be distributed pursuant to subsections b(1) through b(3), such excess shall be paid within fifteen (15) calendar days of the date of initial receipt in the State to DCFS and used in the best interests of the child.

5) Future support: If an amount collected as support represents payment on the required support obligation for future months, the amount shall be applied to those future months. However no amounts shall be applied to future months unless amounts have been collected which fully

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 160.136Distribution of Support Collected in IV-E
Foster Care Maintenance Cases (Cont'd)

satisfy the support obligation assigned for the
current and all past months.

- c) When DCFS ceases making IV-E foster care maintenance payments, the assignment of support rights terminates except for the amount of any unpaid support that has accrued under the assignment. The Department shall attempt to collect such unpaid support. Any collection made by the Department under this subsection shall be distributed in accordance with subsection (b)(3) of this Section.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 160.138Distribution of Child Support for Medical
Assistance No Grant Cases

For purposes of distribution under this Section, child support amounts collected in Medical Assistance No Grant Cases, in which the caretaker relative has never received AFDC benefits, shall be treated in accordance with the provisions of Section 160.132. For Medical Assistance No Grant Cases in which the caretaker relative received AFDC benefits, distribution shall be treated in accordance with the provisions of Section 160.110.

(Source: Added at 14 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

- 1) The Heading of the Part: DRUG MANUAL.

- 2) Code Citation: 89 Ill. Adm. Code 141

- 3) Section Numbers: Proposed Action:

141.100	Amendment
141.480	Amendment
141.640	Amendment
141.720	Amendment
141.800	Amendment
141.1080	Amendment
141.1200	Amendment
141.1640	Amendment
141.1880	Amendment
141.2960	Amendment
141.3200	Amendment
141.3520	Amendment
141.3560	Amendment
141.3920	Amendment
141.3960	Amendment
141.4040	Amendment
141.4360	Amendment
141.4440	Amendment
141.4640	Amendment

- 4) Statutory Authority: Sections 5-5.16 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.16 and 12-13) and Section 5.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, Ch. 127, Par. 1005.02)

- 5) A Complete Description of the Subjects and Issues Involved: With this rulemaking the Department makes several additions and deletions to various therapeutic categories of the Drug Manual.

- 6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? Yes _____ No _____

- 7) Does this rulemaking contain an automatic repeal date? Yes _____ No _____

- 8) Does these Proposed Amendments contain incorporations by reference? No _____

- 9) Are there any other Proposed Amendments pending on this Part? No _____

DEPARTMENT OF PUBLIC AID
NOTICE OF PROPOSED AMENDMENTS

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:

- A) Date Proposed Amendments were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 15, 1990
- B) Types of small businesses affected: Pharmacies and other providers who prescribe and/or dispense the drugs which are included in the Drug Manual.
- C) Reporting, bookkeeping or other procedures required for compliance: Small businesses must be familiar with the Department's procedures for billing, securing approval and receiving payment for drugs which are covered under the Medical Assistance Program.
- D) Types of professional skills necessary for compliance: No additional professional skills required.

The full text of the Proposed Amendments are identical to the text of the Emergency Amendments which appears in this issue of the Register on page 12280.

ILLINOIS REGISTER
DEPARTMENT OF PUBLIC AID
NOTICE OF PROPOSED AMENDMENT

- 1) The Heading of the Part: RULES OF PRACTICE IN ADMINISTRATIVE HEARINGS
- 2) Code Citation: 89 Ill. Adm. Code 104
- 3) Section Number: Proposed Action:
104.102 Amendment
- 4) Statutory Authority: Sections 10-13 through 10-13.10 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 10-13 through 10-13.10 and 12-13)
- 5) A Complete Description of the Subjects and Issues Involved: This proposed amendment provides that a IV-D client may appear and present evidence as an interested party in administrative support hearings.
- 6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒
- 8) Does this Proposed Amendment contain incorporations by reference? No
- 9) Are there any other Proposed Amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Myron Brigman, Office of the General Counsel, Illinois Department of Public Aid, 100 South Grand Avenue East, Springfield, Illinois 62762 (217/782-1233). The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER a: GENERAL PROVISIONS

PART 104

PRACTICE IN ADMINISTRATIVE HEARINGS

SUBPART A: ASSISTANCE APPEALS

Section

104.1 Assistance Appeals
104.10 Initiation of Appeal Process
104.11 Pre-Appeal Review
104.12 Notice of Hearing
104.20 Conduct of Hearings
104.21 Representation
104.22 Appellant Participation in Hearing
104.23 Evidentiary Requirements
104.30 Subpoenas
104.35 Amendment of Appeal
104.40 Consolidation of Appeals
104.45 Postponement of Hearings
104.50 Withdrawal of Appeal
104.55 Closing of Hearing Record
104.60 Dismissal of Appeal
104.70 Final Administrative Decision
104.80 Public Aid Committee

SUBPART B: RESPONSIBLE RELATIVE AND JOINT PAYEE PETITIONS

Section

104.100 Responsible Relative and Joint Payee Petitions
104.101 Petition for Hearing
104.102 Conduct of Administrative Support Hearings
104.103 Conduct of Hearings to Contest the Determination of Past-Due Support or of Share of Jointly-Owned Funds
104.104 Conduct of Hearings to Stay Service of an Administrative Order for Withholding or Notice of Delinquency, or to Modify, Suspend or Terminate an Administrative Order for Withholding

SUBPART C: MEDICAL VENDOR HEARINGS

Section

104.200 Applicability
104.202 Definitions
104.204 Notice of Denial of An Application
104.206 Notice of Intent to Recover Money

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section
104.208 Notice of Intent to Terminate, Suspend or Not Renew
Provider Agreement
104.210 Right to Hearing
104.212 Prior Factual Determinations
104.215 Notice of Formal Conference
104.216 Formal Conference on Recovery of Money
104.217 Purpose of Formal Conference
104.220 Notice of Hearing
104.221 Issues at Particular Hearings
104.225 Legal Counsel
104.226 Appearance of Attorney or Other Representative
104.230 Notice, Service and Proof of Service
104.231 Form of Papers
104.235 Discovery
104.240 Conduct of Hearings
104.241 Amendments
104.242 Motions
104.243 Subpoenas
104.244 Burden of Proof
104.245 Witness at Hearings
104.246 Evidence at Hearings
104.247 Cross-Examination
104.250 Official Notice
104.255 Computer Generated Documents
104.260 Recommendation of Peer Review Committee
104.270 Time Limits for Hearings
104.271 Continuances and Extensions
104.272 Withholding of Payments During Pendency of Proceedings
104.273 Continuation of Payments During Pendency of Proceedings
104.274 Denial of Payments for Services During Pendency of Proceedings
104.280 Record of Hearings
104.285 Failure to Appear or Proceed
104.290 Recommended Decision
104.295 Director's Decision

SUBPART D: RULES FOR JOINT DEPARTMENT ACTIONS
AGAINST SKILLED NURSING FACILITIES AND INTERMEDIATE CARE
FACILITIES PARTICIPATING IN THE MEDICAID PROGRAM

Section
104.300 Authority
104.302 Definitions
104.304 Department Actions Against Nursing Homes Facilities
104.310 Certification
104.320 Joint Administrative Hearing

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section
104.330 Facilities Certified Under Both Medicare and Medicaid
104.400 Suspected Intentional Violation of the Program
104.410 Advance Notice of Administrative Disqualification
Hearing
104.420 Postponement of Hearing
104.430 Administrative Disqualification Hearing Procedures
104.440 Failure to Appear
104.450 Participation While Awaiting a Hearing
104.460 Consolidation of Administrative Disqualification
Hearing with Fair Hearing

SUBPART E: FOOD STAMP ADMINISTRATIVE
DISQUALIFICATION HEARINGS

Section
104.470 Administrative Disqualification Hearing Decision and
Notice of Decision
104.480 Appeal Procedure

SUBPART F: INCORPORATION BY REFERENCE

Section
104.800 Incorporation By Reference

AUTHORITY: Implementing Sections 11-8 et seq., 12-4.9 and 12-4.25 and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987 1989, ch. 23, pars. 11-8 et seq., 12-4.9, 12-4.25 and 12-13)

SOURCE: Filed and effective December 30, 1977; emergency rule at 2 Ill. Reg. 11 pg. 151 effective March 9, 1978 for a maximum of 150 days; amended at 2 Ill. Reg. 33, p. 57, effective August 17, 1978; peremptory amendment at 3 Ill. Reg. 11, p. 38 effective March 1, 1979; amended at 4 Ill. Reg. 21, p. 80, effective May 8, 1980; peremptory amendment 5 Ill. Reg. 1197, effective January 23, 1981; amended at 5 Ill. Reg. 10753 effective October 1, 1981; amended at 6 Ill. Reg. 894, effective January 7, 1982; codified at 7 Ill. Reg. 5706; amended at 8 Ill. Reg. 5274, effective April 9, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 16979; amended at 8 Ill. Reg. 18114, effective September 21, 1984; amended at 10 Ill. Reg. 10129, effective June 1, 1986; amended at 11 Ill. Reg. 9213, effective April 30, 1987; amended at 12 Ill. Reg. 9142, effective May 16, 1988; amended at 13 Ill. Reg. 3944, effective March 10, 1989; amended

NOTICE OF PROPOSED AMENDMENT

at 13 Ill. Reg. 17013, effective October 16, 1989; amended at
14 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 104.102 Conduct of Administrative Support Hearings

a) Hearing De Novo

- 1) The hearing shall be de novo and the Department's determination of liability or non-liability pursuant thereto shall be independent of the prior determination of liability.
- 2) In Title IV-D cases, the hearing shall only consider such matters as are relevant for a determination of the duty and financial ability to support under 89 Ill. Adm. Code 160.60 and 160.65.

b) Rules Governing Hearing

- 1) Hearings on petitions for release from or modification of the Administrative Support Order shall be governed by Sections 104.10 through 104.70, except that "appellant" as used within these Rules shall refer to the responsible relative who petitions and except as set out in subsection (b)(2) below.
- 2) In Title IV-D cases, the following additional rules shall govern:
 - A) A request for appeal must be filed with the regional or central office of the Bureau of Child Support Enforcement at the address furnished in the administrative support order.
 - B) For purposes of notice and of presenting evidence, the Title IV-D client shall be considered an interested party.
 - C) Hearings shall be conducted by a hearing officer authorized by the Director of the Department to consider issues under appeal by Title IV-D responsible relatives. All

NOTICE OF PROPOSED AMENDMENT

Section 104.102
Conduct of Administrative Support Hearings
(Cont'd.)

hearings shall be conducted in the county in which the Title IV-D client resides or any other county acceptable to both the client and the appellant.

- D) All parties may present evidence through deposition in a manner consistent with Section 2-1003 of the Code of Civil Procedure (Ill. Rev. Stat. 1985 1989, ch. 110, par. 2-1003) and Supreme Court Rules 201 et seq. (Ill. Rev. Stat. 1985 1989, ch. 110A, pars. 201 et seq.) Documents certified by a clerk of court or a Title IV-D agency shall be admitted into evidence without further proof. (Refer to Section 104.23 for admission of other evidence.)
- E) In addition to the appellant, the Bureau of Child Support Enforcement or Title IV-D client may request and receive a continuance for good cause shown (e.g., illness or other circumstance which prevent a party from continuing in the normal course of the hearing).
- F) A decision on appeal shall be given to the IV-D client and responsible relative within 60 days of the Department's receipt of the appeal unless additional time is required for a proper decision due to the complexity or unavailability of relevant evidence, and the IV-D client and responsible relative will be notified of the length of the extension.

- C) A hearing to vacate registration or to modify the administrative order for withholding filed with the Department shall consider only matters which would be available to the responsible relative as defenses in a civil action in Illinois to enforce a foreign money judgment (such as, payment, partial payment, or identification of the party against whom the judgment was entered). If the responsible relative shows the Department that an appeal from the registered support order is pending or will be taken in the court or

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 104.102 Conduct of Administrative Support Hearings
(Cont'd.)

administrative body of the jurisdiction which originally entered the order, or that a stay of execution has been granted, the Department shall stay enforcement of the order until the appeal is concluded, the time for appeal has expired, or the stay order is vacated.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

ILLINOIS REGISTER

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- | 1) <u>Heading of Part:</u> | Disability Case Development Process |
|----------------------------|-------------------------------------|
| 2) <u>Code Citation:</u> | 89 Ill. Adm. Code 843 |
| 3) <u>Section Numbers:</u> | <u>Proposed Action:</u> |
| 843.10 | amendment |
| 843.20 | amendment |
| 843.30 | amendment |
| 843.50 | amendment |
| 843.60 | amendment |
| 843.70 | amendment |
| 843.120 | amendment |
| 843.150 | amendment |
| 843.160 | amendment |
| 843.180 | new section |

- 4) Statutory Authority: Implementing Section 3(a) and authorized by Section 3(k) of "AN ACT in relation to rehabilitation of disabled persons" (111. Rev. Stat. 1988, ch. 23, pars. 3434(a) and (k)).
- 5) A Complete Description of the Subjects and Issues Involved: These amendments update the many incorporations by reference that are contained in this Part. In addition, the amendments also specify the evaluation criteria used by the Department's Bureau of Disability Determination Services for processing cases which are affected by out-of-state court-ordered standards. The Social Security Administration (which directs the Bureau's policies and operations) has established that cases coming under these court-ordered standards will be adjudicated by the State in which the claimant currently resides, and therefore the Bureau must use these standards. The standards are as follows:
 - a) In the class action lawsuit of *Royd et al. v. Sullivan*, the court has ordered that the class be extended to all Missouri residents who received an adverse decision on their claims at any level of the administrative review process between July 15, 1983 and July 17, 1984, inclusive, who have applied for Title II or Title XVI benefits, and who alleged that they are unable to work in whole or in part as a result of pain or other subjective symptoms.
 - b) In the class action lawsuit of *Ilyatt et al. v. Sullivan*, the court ordered that the class be extended to all North Carolina residents whose claims were denied by any administrative level or on after July 7, 1981 through May 31, 1987 and whose claims involved allegations of hypertension or diabetes or pain, or any condition with which pain is commonly associated, including but not limited to chronic back pain.

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF PROPOSED AMENDMENTS

- c) In the Morrison, Doe and Decker class action lawsuit, the court ordered that the class be extended to all Washington residents whose cases were denied during the period from December 1, 1983 through January 31, 1985 if the case involving a treating physician's uncontradicted opinion that was relevant to a determination of disability; or whose cases were denied between December 1, 1983 and November 7, 1988 if the sole impairment was drug addiction or alcoholism.
- d) In the class action lawsuit of Polaski et al. v. Bowen, the court ordered that the class be extended to those residents of Minnesota, Arkansas, Iowa, North Dakota, South Dakota and Nebraska who filed Title II and/or Title XVI claims alleging inability to work due to pain or other subjective complaints during the court-ordered timeframes for their particular states.
- e) In the class action lawsuit of Samuels, et al. v. Bowen, the court ordered that the class be extended to all residents of Tennessee who received a fully unfavorable decision of disability on or after August 25, 1982 and requires that the following criteria be applied:
- 1) The Bureau must request a medical assessment from all treating and consulting physicians from whom evidence was obtained at the time of the prior denial or cessation.
 - 2) Treating sources of class members should be used for consultative examinations whenever possible.
 - 3) The opinions of a treating source as to the extent or severity of a claimant's impairments should be afforded the weight required by Sixth Circuit law when determining disability.
 - 4) Cases of class members involving allegations of pain adjudicated prior to August 1, 1985, must be redetermined and reconsidered using standards consistent with Sixth Circuit precedent.
 - 5) In evaluating the cases of class members for obstructive airway disease, current guidelines must be used.
 - 6) Current standards must be used when considering the combined effect of not severe impairments.
 - 7) Individualized assessments of the severity of an impairment and residual functional capacity must be used.

NOTICE OF PROPOSED AMENDMENTS

- f) Pursuant to the United States Supreme Court decision in Sullivan v. Zebley, the Bureau must use the following court-ordered interim standard:
- 1) A functional assessment of the child's ability to perform a full range of age-appropriate daily activities and to behave in an age-appropriate manner be conducted similar to the way functional assessments are done for adults;
 - 2) Observations by treating sources, parents, caregivers, teachers and others having relevant knowledge of the child be sought and considered whenever available;
 - 3) A child may be found disabled based upon equivalence to a listed impairment by comparing functional limitations of the child's unlisted impairment to the functional limitations of relevant listed impairments;
 - 4) A child cannot be found "not disabled" solely because an impairment or combination of impairments does not meet or equal a listing;
 - 5) A child whose impairment(s) do not meet or equal a listed impairment shall be evaluated to determine whether the impact of the impairment(s) on the child's ability to function is comparable in severity to that which makes an adult unable to engage in substantial gainful activity (SGA);
 - 6) Every reasonable effort must be made to ensure that the evaluation team include a pediatric physician/psychologist or other appropriate medical specialist knowledgeable in infant and childhood development.
- 6) Will proposed amendments replace an emergency rule currently in Effect:
No
- 7) Do these amendments contain an automatic repeal date? Yes ☒ No ☐
If "yes," please specify the date:
- 8) Do these proposed amendments contain incorporations by reference? Yes
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: None
- 11) Time, Place, and Manner in which interested persons may comment on these proposed amendments: All persons who submit a written request to comment within fourteen (14) days after this notice has been published

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

shall be given a reasonable opportunity to submit date, views, argument or comments about these amendments. All such submissions shall be made within forty-five (45) days after this notice has been published. Any comments submitted within forty-five (45) days after this notice has been published will be considered by the Department. All requests and comments should be submitted in writing to:

Ms. Leigh Reed
Regulations and Procedures Section
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.N.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has reviewed these amendments and found that they have no impact on small business.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER g: BUREAU OF DISABILITY DETERMINATION SERVICES
PART 843
DISABILITY CASE DEVELOPMENT PROCESS

SUBPART A: INITIAL, RECONSIDERATION, AND REOPENING CASE DEVELOPMENT

Section	Definitions
843.10	Incorporation by Reference
843.11	Preliminary Case Action
843.20	Medical Evidence of Record Development
843.30	Consultative Examination Procedure
843.40	Vocational Evidence Development
843.50	Daily Activities Development for Mental Impairment Claims
843.60	

SUBPART B: CONTINUING DISABILITY REVIEW (CDR) CASE DEVELOPMENT

Section	Contact With Claimants
843.70	Medical Evidence of Record Development
843.80	Conflicts Between the Individual and the Medical Source
843.90	Consultative Examination Procedure
843.100	Vocational Evidence Development
843.110	Cessation Without Full Medical Development (Clear-Cut Cessation)
843.120	

SUBPART C: SPECIAL ISSUES AFFECTING CASE DEVELOPMENT

Section	Capability Development
843.130	Claimant Representative Involvement
843.140	Issues Which Necessitate Curtailing Development
843.150	Issues Which Necessitate Reopening a Prior Decision
843.160	Disposition of Trailer Mail
843.170	Processing Out-of-State Court Cases
843.180	

AUTHORITY: Implementing Section 3(a) and authorized by Section 3(k) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1988 Supp., ch. 23, pars. 3434(a) and (k)).

SOURCE: Adopted at I2 III. Reg. I3996, effective August 23, 1988; amended at 13 III. Reg. 4298, effective March 15, 1989; amended at 14 III. Reg. _____, effective _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

SUBPART A: INITIAL, RECONSIDERATION, AND REOPENING CASE DEVELOPMENT

Section 843.10 Definitions

"Bureau" means the Bureau of Disability Determination Services.

"Claimant representative" means an attorney or other individual appointed by the claimant to act for him/her in the prosecution of a disability claim, who is qualified pursuant to the definition of "representative" in 89 Ill. Adm. Code 853.10.

"Clear-cut cessation" means a decision to discontinue disability benefits/payments without current medical development (i.e., the acquisition of medical evidence subsequent to the receipt of the case file by the Bureau for the purpose of conducting continuing disability review) when the claimant has returned to full-time work as defined in and meets the criteria as set forth in the Program Operations Manual System DI 28030.035 et seq. as revised January 1986 August 1987.

"Continuing Disability review" means the periodic reexamination of a case, which is conducted pursuant to 89 Ill. Adm. Code 850 for which an allowance has been processed in order to determine if the claimant continues to be disabled.

"Daily activities development" means the process of obtaining a description of the claimant's customary actions, interests, and interpersonal relationships from medical and/or lay sources who have knowledge of the claimant's living conditions.

"Medical evidence of record" means medical information on file for a patient, such as reports of exams, progress notes, and test results, which are obtained from a treating source as defined in Program Operations Manual System DI 22505.025 as amended December 1986.

"Medical Information Unit" (MIU) means the unit established by the Bureau to perform various functions involving the consultative examination process and to coordinate all correspondence, communication, and record-keeping between the Bureau and Cook County Hospital and Fantus Clinic of Chicago, Illinois.

"Presumptive disability/blindness decision" means a favorable decision rendered for a Supplemental Security Income (SSI) claim based on the evaluation criteria as set forth in the Program Operations Manual System DI 23535.005, as amended January-1986 October 1988; such decision permits the claimant to receive payments prior to the formal decision.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

"Program Operations Manual System" means the policies and procedures of the Social Security Administration which set forth the objectives and requirements of the disability programs and furnish the standards with which Social Security Administration operating components must comply in the administration of the functions they perform. The Social Security Act is the basis for all standards set forth in the Program Operations Manual System.

"Residual functional capacity" means the ability to function in a work setting despite the limitations imposed by a physical or mental impairment as determined pursuant to Program Operations Manual System DI 24510.001 as amended July 1989 and 25005.000 25001.001 as amended January-1986 March 1989.

"Sequential evaluation" means the order in which factors regarding impairment severity and work status are considered in the adjudication process, pursuant to 89 Ill. Adm. Code 845.

"Trailer mail" means medical evidence and other case-related correspondence received in the Bureau after the claim has been adjudicated and released.

"Vocational evidence" means documentation of the claimant's residual functional capacity, age, education, and work experience used when a disability decision based on medical evidence alone cannot be made.

"Work evaluation" means a program conducted at a work evaluation facility, which has an annual service agreement pursuant to 89 Ill. Adm. Code 530, to assess by testing of function and job sampling the claimant's ability to adjust to work pursuant to Program Operations Manual System DI 22515.045 10 as amended January-1986 November 1988.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 843.20 Preliminary Case Action

- a) A claimant will provide consent to the Bureau to contact sources who may have evidence to document the claim by signing the Disability Insurance Benefit and/or Supplemental Security Income (SSI) application(s) and a medical release form when filing for benefits/payments. The Bureau will obtain and disclose such evidence following the guidelines governing disclosure set forth in the Program Operations Manual System DI 30510.000 and DI 30515.000 et seq. as amended January 1986. The claimant may revoke the consent at any time, but the consent will be valid until final disposition of the disability claim or one year.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- b) To insure the impartiality of the adjudicative team, the Bureau will assign a claim for which an earlier unfavorable determination was rendered, to an adjudicator and medical consultant who did not participate in that decision.
- c) All incoming SSI cases will be reviewed to determine if a presumptive disability/blindness decision can be made following the criteria in the Program Operations Manual System DI 23535.000 et seq. as amended January-1986 October 1988.

(Source: Amended at 14 Ill. Reg. ____, effective ____)

Section 843.30 Medical Evidence of Record Development

- a) The Bureau incorporates the standards for obtaining medical evidence of record as set forth in the Program Operations Manual System DI 22505.000 et seq. as revised January-1986, and-amended-December 1986-and-June 1987 except for the provisions regarding obtaining medical evidence from Cook County Hospital and Fantus Clinic of Chicago, Illinois.
- b) The Bureau's Medical Information Unit (MIU) will be responsible for processing all requests for medical evidence of record from Cook County Hospital and Fantus Clinic of Chicago, Illinois.
- c) The Bureau has developed the following policy regarding payment for medical evidence:

- 1) Only one payment will be proffered per source. Payment rates are established pursuant to provisions set forth in 89 Ill. Adm. Code 545.
- 2) When a reconsideration claim is filed requiring that the same source be contacted for additional evidence, another payment will be proffered, because a new application at a higher level of appeal is being developed.
- 3) If a contact does not yield medical evidence of record, payment will not be proffered.

(Source: Amended at 14 Ill. Reg. ____, effective ____)

Section 843.50 Vocational Evidence Development

- a) The Bureau will determine whether complete vocational development is needed for the claim by following the steps of sequential evaluation described in 89 Ill. Adm. Code 845 (Sequential Evaluation Process for the Determination of Disability).

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- b) The Bureau incorporates the criteria for vocational evidence development as specified in the Program Operations Manual System DI 22515.000 et seq. as amended January-1986 November 1988.
- c) If the Bureau cannot assess the residual functional capacity based on medical and vocational evidence as defined by the Program Operations Manual System DI 22505.000 as amended June 1987, and DI 22515.000 as amended January-1986 November 1988, the Bureau will provide the claimant with the following information:

- 1) The reason that the additional evidence is needed;
 - 2) A description of the work evaluation process;
 - 3) The dates during which the evaluation will occur;
 - 4) Transportation available from the facility or the travel reimbursement policy as set forth in 89 Ill. Adm. Code 840.50(b)(10);
 - 5) Directions to get to the facility and the contact person at the site;
 - 6) Instructions regarding medication, prostheses, and the money necessary for meals that should be taken to the evaluation;
 - 7) Description of the lodging arrangement.
- d) If a claimant fails to participate or cannot be contacted regarding a work evaluation, the Bureau will follow the guidelines for securing claimant cooperation as stated in the Program Operations Manual System DI 22501.038 Q et seq. as amended January 1986 August 1988.
- e) If a claimant fails to go to the work evaluation for a valid reason as set forth in Program Operations Manual System DI 22510.055(b), as amended January 1986, but is willing to participate, the Bureau will recontact the facility to arrange for the claimant to complete the evaluation.
- f) Reimbursement for travel, meals and lodging will be made in accordance with 80 Ill. Adm. Code 2800.

(Source: Amended at 14 Ill. Reg. ____, effective ____)

Section 843.60 Daily Activities Development for Mental Impairment Claims

- a) The Bureau incorporates the guidelines for daily activities in

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

mental impairment claims set forth in the Program Operations Manual System DI 24510-076-et-seq. 22511.001 - 22511.013 as amended May-1986 July 1989. Mental impairments are defined in 20 CFR 404. Subpart P, Appendix A, 12.00 (1987 2).

b) The Bureau will prepare a mental residual capacities assessment for cases involving a mental impairment in accordance with the Program Operations Manual System DI 24510.070(9);--as-amended-January 1986; 25 and DI 24510.080 60 - 24510.065, as amended May-1986;--and-BI-24510-085--as-amended-January-1987 July 1989.

c) If a claimant alleging a mental impairment refuses or fails to comply with a Department request for further development without good and valid reason, as explained in the Program Operations Manual System DI 22501.030 as amended January 1986, the Bureau will obtain assistance through contact with a third party or Social Security Administration field office assistance according to the guidelines in the Program Operations Manual System DI 22501.030 03 et seq. as amended August 1988 and DI 22505.050 et seq. as amended January 1986.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

SUBPART B: CONTINUING DISABILITY REVIEW (CDR) CASE DEVELOPMENT

Section 843.70 Contact With Claimant

a) If information obtained by the SSA field office during the CDR interview does not meet the requirements contained in the Program Operations Manual System DI 28030.020, as amended June 1987, and DI 28030.030, as amended August 1987, the Bureau will directly contact the claimant or his/her representative for the necessary information following the guidelines set forth in the Program Operations Manual System DI 28030.015(A) as amended June 1987.

b) If SSA field office assistance is needed to obtain the desired information, according to the provisions in the Program Operations Manual System DI 28030.015(B) as amended June 1987, the Bureau will request such assistance in accordance with the guidelines set forth in the Program Operations Manual System DI 22505.050 et seq. as amended January-1986 June 1987.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 843.120 Cessation Without Full Medical Development (Clear-Out Cessation)

The Bureau will determine the need for a cessation of benefits without full

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

medical development for the CDR claim according to the criteria set forth in the Program Operations Manual System DI 28030.035 et seq. as amended January-1986 August 1987.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

SUBPART C: SPECIAL ISSUES AFFECTING CASE DEVELOPMENT

Section 843.130 Capability Development

The Bureau incorporates the standards for capability development as set forth in the Program Operations Manual System DI 23001.000 et seq. as amended January-1986 March 1989.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 843.150 Issues Which Necessitate Curtailing Development

a) When the claimant leaves Illinois before a decision on the case has been made, the Bureau will follow the steps specified in the Program Operations Manual System DI 20101.035 et seq. as amended January 1986 October 1987.

b) The Bureau will curtail development and return the case to the SSA field office as directed by the Program Operations Manual System DI 20101.000 et seq. as amended January-1986 October 1987.

c) The Bureau will take action when the claimant fails to cooperate with the Bureau or SSA field office in accordance with the criteria stated in the Program Operations Manual System DI 23010.000 et seq., as amended January-1986 July 1989, DI 22505.020 et seq. as amended December 1986, DI 22505.021 as amended December 1986, DI 22510.025(B) and (C) as amended April 1987, DI 22510.050 as amended January 1986, DI 22510.055 as amended January 1986, DI 22505.050 as amended October 1987, and DI 22505.065(E) as amended June 1987.

d) When the claimant withdraws or does not wish to pursue the claim, the Bureau will follow the steps described in the Program Operations Manual System DI 23015.000 et seq. as amended January 1986.

e) When the claimant's whereabouts become unknown during the processing of the claim, the Bureau will take action as described in the Program Operations Manual System DI 23005.000 et seq. as amended January-1986 February 1989.

f) When the claimant dies before completion of the case processing, the Bureau will follow the criteria set forth in the Program Operations Manual System DI 23510.000 et seq. as amended January 1986.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 843.160 Issues Which Necessitate Reopening a Prior Decision

- a) Case development for initial and reconsideration claims will be curtailed and a prior decision reopened, when the Bureau finds a basis for such action according to the criteria set forth in the Program Operations Manual System DI 27501.000 and DI 27505.000 et seq. as amended April-1986 July 1989.
- b) Prior CDR decisions will be reopened following the criteria stated in the Program Operations Manual System DI 28501.000 et seq. as amended January 1986.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 843.180 Processing Out-of-State Court Cases

With regard to the following class action lawsuits, the Bureau incorporates the specified court-ordered criteria for development of medical and/or vocational evidence:

- a) In the case of Boyd, et al. v. Sullivan, POMS DI 32532.000 et seq. revised March, 1990.
- b) In the case of Hyatt, et al. v. Sullivan, POMS DI 32548.000 et seq. revised April, 1986.
- c) In the case of Morrison, Doe and Decker, POMS DI 32551.000 et seq. revised September, 1986.
- d) In the case of Polaski, et al. v. Bowen, POMS DI 32553.000 et seq. revised December, 1989.
- e) In the case of Samuels, et al. v. Bowen, POMS DI 32555.000 et seq. revised March, 1990.
- f) In the case of Sullivan v. Zebley, POMS DI E32597.000 et seq. revised June, 1990.

(Source: Added at 14 Ill. Reg. _____, effective _____)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: The Establishment and Administration of Special Education

- 2) Code Citation: 89 Ill. Adm. Code 765

- 3) Section Numbers: 765.60 Proposed Action: Amendments

- 4) Statutory Authority: Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434 and 3441).

- 5) A Complete Description of the Subjects and Issues involved: This Section is being amended to state that all written policies of the DORS' schools will be consistent with AIDS statutes.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date?
Yes X No

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives (if applicable): Not Applicable

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Janice Lobb
 Regulations and Training Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
 T.D.D.: (217) 782-5734

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER f: EDUCATIONAL FACILITIES

PART 765

THE ESTABLISHMENT AND ADMINISTRATION OF SPECIAL EDUCATION

SECTION

765.10 Special Education Instructional Programs
765.20 Range of Services
765.30 Availability of Services
765.40 Involvement of Students with Disabilities in Activities
765.50 Adequacy of Facilities
765.60 Written Policies
765.70 State Approved Administrator of Special Education
765.80 State-Approved Supervisory Services
765.90 Role of Principal

AUTHORITY: Implementing Sections 3 and 10 and authorized by Section 3 of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434 and 3441).

SOURCE: Adopted at 6 Ill. Reg. 1235, effective January 18, 1982; codified at 6 Ill. Reg. 14859; amended at 13 Ill. Reg. 12103, effective July 8, 1988; amended at 13 Ill. Reg. 5154, effective March 30, 1989, amended at _____, effective _____, Ill. Reg. _____.

Section 765.60 Written Policies

- a) Written policies shall be developed by the each State School to govern concerning the method by which student information concerning a student will be collected, the confidential nature of that information, the use to which it will be put, how it will be recorded and maintained, the period for which it will be maintained, the persons to whom it will be available and under what circumstances. All such policies shall be consistent with:

- 1) The Illinois School Student Records Act (Ill. Rev. Stat. 1985⁷, ch. 122, pars. 50-1 et seq.);
- 2) Student Records (23 Ill. Adm. Code 375);

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 3) The Illinois Program for Evaluation, Supervision and Recognition of Schools, State Board of Education Document Number 1, 1985;
- 4) the Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232(g)) (1985);
- 5) Illinois Department of Rehabilitation Services' Policies on Confidentiality (89 Ill. Adm. Code 505) and Access to Public Records (2 Ill. Adm. Code 1176);
- 6) Sec. 2a of "An Act in relation to the prevention of certain communicable diseases," (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 22.12(a));
- 7) The AIDS Confidentiality Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 7301 et seq.).
- b) Such policies shall provide that all information maintained concerning a student receiving special education services be directly related to the provision of services to that student.
- c) These policies shall be made known to the parents or guardians of all students receiving special education services, to the public and to any persons who are provided with all or a part of a student's records.

(Source: Amended at _____ Ill. Reg. _____, effective _____)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Visually Handicapped Institute
- 2) Code Citation: 89 Ill. Adm. Code 730
- 3) Section Numbers: 730.400 Proposed Action: amendment
- 4) Statutory Authority: Section 3(b), (f) and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(b), (f) and (k) and 3443)).
- 5) A Complete Description of the Subjects and Issues involved: This Section is being amended to provide guidance on serving IVHI clients diagnosed as having AIDS or HIV.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Section Numbers Proposed Action Illinois Register Citation
Statement of Statewide Policy Objectives (if applicable):
Not Applicable
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Janice Lobb
Regulations and Training Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER e: COMMUNITY SERVICES/ILLINOIS VISUALLY HANDICAPPED INSTITUTE

PART 730

ILLINOIS VISUALLY HANDICAPPED INSTITUTE

SUBPART B: PROGRAM SERVICES

Section

- 730.200 Available Programs
- 730.210 Activities of Daily Living
- 730.220 Communication
- 730.230 Home Mechanics
- 730.240 Orientation and Mobility
- 730.250 Education, Leisure Activities and Other Programs

SUBPART C: SUPPORT SERVICES

Section

- 730.400 Medical Services
- 730.410 Equipment Loans
- 730.420 Telephone Services
- 730.430 Dietary Services
- 730.440 Transportation Services
- 730.460 Counseling and Personal Adjustment

SUBPART D: CLIENT CONDUCT

Section

- 730.600 Rules of Client Conduct
- 730.650 Discipline
- 730.700 Disciplinary Appeals

AUTHORITY: Implementing and authorized by Sections 3(b),(f) and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(b), (f) and (k) and 3443).

SOURCE: Adopted at 10 Ill. Reg. 6853, effective April 7, 1986; amended at ___ Ill. Reg. ___, effective ____.

SUBPART C: SUPPORT SERVICES

Section 730.400

Medical Services

- a) Medical staff available to clients at IVHI consist of a:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Medical Director,
- 2) Ophthalmological Consultant, and
- 3) Supervising Nurse and nursing staff who will provide comprehensive medical care.
- b) Visits with the consultant are scheduled through the supervising nurse.
- c) Clients should report all accidents to the nurse. Clients must have medical insurance, Public Aid medical card, or have signed a release to authorize medical treatment at a no-charge medical facility.
- d) Clients should report to the nurse any all illnesses which result~~ing~~ in absence from scheduled activities. ~~to the nurse~~ The nurse will then advise staff of clients who are too ill to attend class and/or meals.
- e) No prescription or non-prescription medications will be dispensed by any IVHI staff member except a registered professional nurse and only under a physician's orders. Upon admission to IVHI, the client must notify the nurse on duty of all prescription medications being taken. Staff will dispense the medication to the client until such time as the client has shown the ability to identify specific medications prescribed and the proper procedures for using them. Registered professional nurses will monitor the clients self-medication of ~~IVHI~~ clients until the client has demonstrated a knowledge of drug, dose, time, and side effects. Clients who are diabetic and not already proficient in self-medication will be instructed on self-administration.
- f) When providing care for clients, staff of IVHI must follow the guidelines issued by the Illinois Department of Public Health (DPH) and the Illinois State Board of Education in their publication "Management of Chronic Infectious Diseases in School Children".
- g) HIV Testing. In compliance with the Illinois AIDS Confidentiality Act (AIDS Act) (Ill. Rev. Stat. 1987, Ch. 111 1/2, par. 7301 et seq.) and rules of the DPH (77 Ill. Adm. Code 697), a client may not be tested for human immunodeficiency virus (HIV) unless:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) the client or legally authorized representative consents in writing, or
- 2) a DORS school employee has had an accidental direct skin or mucous membrane contact with the student's blood or body fluids which is of a nature that may transmit HIV, as determined by a physician in his or her medical judgement.
- 3) Test Information and Counseling. In compliance with the AIDS Act, if an HIV test is ordered by an IVHI physician, whether or not written, informed consent of the client or legally authorized representative has been given, the physician must provide the client with:
 - A) the meaning of test results;
 - B) additional or confirmatory testing, when appropriate; and
 - C) referrals for further information or counseling.
- 4) Disclosure of Test Results. The person performing the test or the Superintendent, only if IVHI is authorized to obtain the test results, may only disclose results to the following people, who may not redisclose the results, except as authorized by the AIDS Act:
 - A) the client or his or her legally authorized representative;
 - B) anyone designated in a legally effective release executed by the client or legally authorized representative;
 - C) an employee who has had accidental contact as described in subsection (g) of this section;
 - D) the DPH; and
 - E) any employee who:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) provides the client with medical services or such care as may involve contact with blood or body fluids of a client; and
- 2) has a need to know such information.

(Source: Amended at Ill. Reg. _____, effective _____)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Non-Academic Programs and Policies
- 2) Code Citation: 89 Ill. Adm. Code 830
- 3) Section Numbers: 830.50 Proposed Action: Amendments
- 4) Statutory Authority: Section 3(f) of "AN ACT in relation to rehabilitation of persons with one more disabilities" (Ill. Rev. Stat. 1989, . ch. 23, pars. 3441, 3442, and 3434(f)).
- 5) A Complete Description of the Subjects and Issues involved: This Section is being amended to provide guidance on serving DORS' school students diagnosed as having AIDS or HIV.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation
10) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Janice Lobb
 Regulations and Training Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429
 Telephone number: (217) 785-3896
 T.D.D.: (217) 782-5734

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER f: EDUCATIONAL FACILITIES

PART 830
NON-ACADEMIC PROGRAMS AND POLICIES

Section
830.10
830.20
830.30
830.35
830.40
830.50
830.60
830.70
830.80
830.90
830.100
830.110
830.120
830.130

The Taking and Using of Students' Photographs
Needy Student Fund
Student Trust Fund
Student Activity Fees
Valuables
Health Services
Search and Seizure
Rights and Responsibilities of School Staff
Food and Nutrition
Safety and Sanitation
Donations
Release of Students to Authorized Individuals
Use of Motor Vehicles by Students
Student Activities Requiring Approval of Parents/Guardians

AUTHORITY: Implementing Sections 10 and 11 and authorized by Section 3(f) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3441, 3442, and 3434(f)).

SOURCE: Adopted at 11 Ill. Reg. 15097, effective September 16, 1987; amended at 12 Ill. Reg. 14304, effective August 29, 1988, Ill. Reg. _____, effective _____.

Section 830.50 Health Services

- a) The Illinois Children's School and Rehabilitation Center (ICSRC) provides comprehensive medical, nursing, physical therapy, occupational therapy and nutrition services, complete with both prescription and non-prescription medications, supplies and devices for its students.

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

b) The Illinois School for the Deaf (ISD) and the Illinois School for the Visually Impaired (ISVI) provide part-time physicians, full-time nurses, such basics as cough medicine, bandages, and cotton swabs, and services of occupational and physical therapists to handle the health and treatment programs for their students. In addition, a seven day a week infirmary is provided at ISD to serve the students of ISD and ISVI who are too ill to stay in the dormitory, but not ill enough to require hospitalization.

c) The Each school will provide assistance to the parents in locating a sources of, ~~and/or arranging~~ arranging for needed medical services which are beyond those described in subsections (a) or (b), providing there is a clear understanding that ~~the parents or some source~~ other than the school will not pay for or and be responsible for such services.

d) If a the student receives medical treatment other than that prescribed by school health officials, the parents/guardian must inform school staff of such treatment and provide written medical information pertinent to that treatment.

e) Each school shall comply with Section 27-8.1 of The School Code (Ill. Rev. Stat. 1985, ch. 122, par. 27-8.1) in matters pertaining to immunization of its students. In addition, at the direction of the school's physician and superintendent, authorized medical staff at the school shall immunize students for communicable diseases provided:

- 1) ~~The~~ The Illinois Department of Public Health, (DPH) recommended the immunization due to a time limitation or unusual situation;
- 2) ~~The~~ The local ~~Public~~ Health Agency provides the vaccine at no cost to the school or the superintendent determines, in consultation with the school physician, an emergency situation exists and the need is so urgent that the vaccine should be purchased from school funds; and
- 3) ~~The~~ The parents have given their consent, if the student is under 18 years of age, or the student has given his or her consent, if the student is 18 years old or older.

f)

When providing care for students, staff of DORS' schools should follow the guidelines issued by the DPH and the Illinois State Board of Education in the publication "Management of Chronic Infectious Diseases in School Children".

g)

HIV Testing. In compliance with the Illinois AIDS Confidentiality Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 7301 et seq.) and rules of the DPH (77 Ill. Adm. Code 697), a student may not be tested for human immunodeficiency virus (HIV) unless:

1) the student or legally authorized representative consents in writing, or

2) a DORS' school employee has had an accidental direct skin or mucous membrane contact with the student's blood or body fluids which is of a nature that may transmit HIV, as determined by a physician in his or her medical judgement.

3)

Test Information and Counseling. In compliance with the Illinois AIDS Confidentiality Act (AIDS Act) (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 7305) if an HIV test is ordered by a school physician, whether or not written, informed consent of the student or legally authorized representative has been given, the physician must provide the student with information, including:

A) the meaning of test results;

B) additional or confirmatory testing, when appropriate; and

C) referrals for further information or counseling.

4)

Disclosure of test results. The person performing the test may only disclose results to the following people, who may not redisclose the results, except as authorized by the AIDS Act:

A) The student or his or her legally authorized representative;

B) Anyone designated in a legally effective release executed by the student or legally authorized representative;

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- C) The school employee who has had accidental contact as described in subsection (g) above;
- D) The DPH; and
- E) An employee of the school if he or she provides the student with medical services or such care as may involve contact with blood or body fluids of a student and the employee has a need to know such information.

h) In compliance with "An Act in relation to the prevention of certain communicable diseases," (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 22.12a) the DPH or local public health department will inform the principal that a student has been diagnosed as having AIDS or AIDS-related complex or has been exposed to HIV. The principal may not disclose such information except to the following and then only if the principal then finds it necessary for the safe and effective administration of the school and its programs:

- 1) The superintendent of the DORS' school;
- 2) The teachers in whose classes the student is enrolled;
- 3) Those persons who are required to decide the student's placement or educational program;
- 4) The school nurse; and
- 5) Any other person that the principal deems has a need to know, but the student's identity cannot be revealed.

Source: Amended at Ill. Reg. , effective .

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Sequential Evaluation Process for the Determination of Disability
- 2) Code Citation: 89 Ill. Adm. Code 845
- 3) Section Numbers:
- | | |
|--------|-------------------------|
| 845.11 | <u>Proposed Action:</u> |
| 845.20 | new section |
| 845.30 | amendment |
| 845.40 | amendment |

- 4) Statutory Authority: Implementing Section 3(a) and authorized by Section 3(k) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1988, ch. 23, pars. 3434(a) and (k)).
- 5) A Complete Description of the Subjects and Issues Involved: These amendments provide clarification for the many incorporations by reference that are contained in this Part. In addition, the amendments also specify the evaluation criteria used by the Department's Bureau of Disability Determination Services for processing cases which are affected by out-of-state court-ordered standards. The Social Security Administration (which directs the Bureau's policies and operations) has established that cases coming under these court-ordered standards will be adjudicated by the State in which the claimant currently resides, therefore the Bureau must use these standards. The standards are as follows:

- a) In the class action lawsuit of Boyd et al. v. Sullivan, the court has ordered that the class be extended to all Missouri residents who received an adverse decision on their claims at any level of the administrative review process between July 15, 1983 and July 17, 1984, inclusive, who have applied for Title II or Title XVI benefits, and who alleged that they are unable to work in whole or in part as a result of pain or other subjective symptoms.
- b) In the class action lawsuit of Hyatt et al. v. Sullivan, the court ordered that the class be extended to all North Carolina residents whose claims were denied by any administrative level or on after July 7, 1981 through May 31, 1987 and whose claims involved allegations of hypertension or diabetes or pain, or any condition with which pain is commonly associated, including but not limited to chronic back pain.
- c) In the Morrison, Doe and Decker class action lawsuit, the court ordered that the class be extended to all Washington residents whose cases were denied during the period from December 1, 1983 through January 31, 1985 if the case involving a treating physician's uncontradicted opinion that was relevant to a determination of

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

November 7, 1988 if the sole impairment was drug addiction or alcoholism.

- d) In the class action lawsuit of Jolaski et al. v. Bowen, the court ordered that the class be extended to those residents of Minnesota, Arkansas, Iowa, North Dakota, South Dakota and Nebraska who filed Title II and/or Title XVI claims alleging inability to work due to pain or other subjective complaints during the court-ordered timeframes for their particular states.
- e) In the class action lawsuit of Samuels, et al. v. Bowen, the court ordered that the class be extended to all residents of Tennessee who received a fully unfavorable decision of disability on or after August 25, 1982 and requires that the following criteria be applied:
 - 1) The Bureau must request a medical assessment from all treating and consulting physicians from whom evidence was obtained at the time of the prior denial or cessation.
 - 2) Treating sources of class members should be used for consultative examinations whenever possible.
 - 3) The opinions of a treating source as to the extent or severity of a claimant's impairments should be afforded the weight required by Sixth Circuit law when determining disability.
 - 4) Cases of class members involving allegations of pain adjudicated prior to August 1, 1985, must be redetermined and reconsidered using standards consistent with Sixth Circuit precedent.
 - 5) In evaluating the cases of class members for obstructive airway disease, current guidelines must be used.
 - 6) Current standards must be used when considering the combined effect of not severe impairments.
 - 7) Individualized assessments of the severity of an impairment and residual functional capacity must be used.
- f) Pursuant to the United States Supreme Court decision in Sullivan v. Zebley, the Bureau must use the following court-ordered interim standard:
 - 1) A functional assessment of the child's ability to perform a full range of age-appropriate daily activities and to behave in an age-appropriate manner be conducted similar to the way functional assessments are done for adults;

- 2) Observations by treating sources, parents, caregivers, teachers and others having relevant knowledge of the child be sought and considered whenever available;
- 3) A child may be found disabled based upon equivalence to a listed impairment by comparing functional limitations of the child's unlisted impairment to the functional limitations of relevant listed impairments;
- 4) A child cannot be found "not disabled" solely because an impairment or combination of impairments does not meet or equal a listing;
- 5) A child whose impairment(s) do not meet or equal a listed impairment shall be evaluated to determine whether the impact of the impairment(s) on the child's ability to function is comparable in severity to that which makes an adult unable to engage in substantial gainful activity (SGA);
- 6) Every reasonable effort must be made to ensure that the evaluation team include a pediatric physician/psychologist or other appropriate medical specialist knowledgeable in infant and childhood development.

6) Will proposed amendments replace an emergency rule currently in Effect:
No

7) Do these amendments contain an automatic repeal date? Yes ☒ No ☐
If "yes," please specify the date:

8) Do these proposed amendments contain incorporations by reference? Yes

9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: None

11) Time, Place, and Manner in which interested persons may comment on these proposed amendments: All persons who submit a written request to comment within fourteen (14) days after this notice has been published shall be given a reasonable opportunity to submit date, views, argument or comments about these amendments. All such submissions shall be made within forty-five (45) days after this notice has been published. Any comments submitted within forty-five (45) days after this notice has been published will be considered by the Department. All requests and comments should be submitted in writing to:

Ms. Leigh Reed
Regulations and Procedures Section

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has reviewed these amendments and found that they have no impact on small business.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER g: BUREAU OF DISABILITY DETERMINATION SERVICES

PART 845

SEQUENTIAL EVALUATION PROCESS FOR THE DETERMINATION OF DISABILITY

- Section
845.10 Definitions
845.11 Incorporation by Reference
845.20 Steps of Sequential Evaluation
845.30 Multiple Impairments
845.40 Evaluation of Pain and Other Symptoms

AUTHORITY: Implementing Section 3(a) and authorized by Section 3(k) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1986 Supp., ch. 23, pars. 3434(a) and (k)).

SOURCE: Adopted at 10 Ill. Reg. 19764, effective November 6, 1986; peremptory amendment at 12 Ill. Reg. 5467, effective February 25, 1988; amended at 13 Ill. Reg. 19308, effective November 22, 1989; amended at 14 Ill. Reg. _____, effective _____.

Section 845.11 Incorporation by Reference

Incorporations by reference in this Part do not include any later amendments or editions.

(Source: Added at 14 Ill. Reg. _____, effective _____)

Section 845.20 Steps of Sequential Evaluation

- a) ~~The Bureau incorporates the criteria specified in the Code of Federal Regulations 20 CFR 404.1520 and 20 CFR 416.920 as amended March 5, 1985; 20 CFR 404.1577 and 20 CFR 404.1581 as amended February 8, 1983; 20 CFR 404.1578a and 20 CFR 404.1578b as amended March 22, 1982; 20 CFR 416.924a and 20 CFR 416.924b as amended March 5, 1985; and 20 CFR 416.981 revised April 1, 1986. This incorporation contains no later amendments or editions:~~

- a) The Bureau incorporates the criteria specified in the Code of Federal Regulations 20 CFR 404.1520-1520a, 404.1577-1578, 404.1581, 416.920-920a, 416.924 and 416.981 revised April 1, 1989; Social Security Rulings 86-8 (Titles II and XVI: The Sequential Evaluation Process).

- b) The following steps shall be used in the determination of disability unless the individual falls under the criteria listed in

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

the Code of Federal Regulations 20 CFR 404.1577 as amended March 22, 1982, 20 CFR 404.1578 as amended March 22, 1982, 20 CFR 416.906 revised April 1, 1986, or 20 CFR 416.981 revised April 1, 1986. This incorporation contains no later amendments or editions. The steps enumerate the process used to evaluate an impairment and are to be followed in sequence. When a determination is made that an individual is disabled or not disabled at any step, it is not necessary to proceed with the evaluation.

b) The following steps shall be used in the determination of disability unless:

1) The individual falls under the criteria listed in the Code of Federal Regulations 20 CFR 404.1577-1578, 416.906 or 416.981 revised April 1, 1989.

2) With regard to the adjudication of children's Supplemental Security Income disability claims, the Bureau will apply the court-ordered standard in the case of Sullivan v. Zebley, POMS DI E-32597.000 et seq. and fully consider a child's functional limitations when evaluating the severity of the child's impairment.

c) The steps are as follows:

1) Is the individual engaging in substantial gainful activity?

A) The Bureau incorporates the criteria for determining substantial gainful activity specified in the Code of Federal Regulations 20 CFR 404.1510, 404.1571-1576, 404.1591-1592, 416.910 and 416.971-976 revised April 1, 1989; Social Security Rulings 83-33 (Titles II and XVI: Determining Whether Work Is Substantial Gainful Activity - Employees), 83-34 (Titles II and XVI: Determining Whether Work Is Substantial Gainful Activity - Self-Employed Persons), 83-35 (Titles II and XVI: Averaging of Earnings in Determining Whether Work Is Substantial Gainful Activity), and 85-3c (Disabled Child's Benefits - Determining Whether Work Is Substantial Gainful Activity - Averaging Earnings from Employment).

A) The Bureau incorporates the criteria for determining substantial gainful activity specified in the Code of Federal Regulations 20 CFR 404.1510, 404.1571-1576, 404.1591-1592, 416.910 and 416.971-976 revised April 1, 1989; Social Security Rulings 83-33 (Titles II and XVI: Determining Whether Work Is Substantial Gainful Activity - Employees), 83-34 (Titles II and XVI: Determining Whether Work Is Substantial Gainful Activity - Self-Employed Persons), 83-35 (Titles II and XVI: Averaging of Earnings in Determining Whether Work Is Substantial Gainful Activity), and 85-3c (Disabled Child's Benefits - Determining Whether Work Is Substantial Gainful Activity - Averaging Earnings from Employment).

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

Substantial Gainful Activity - Averaging Earnings from Employment).

B) If the individual is performing substantial gainful activity, a determination that the individual is not disabled will be made regardless of the individual's medical condition, age, education, or work experience unless the individual meets the blindness provisions specified in 20 CFR 404.1581 as amended February 8, 1983, 20 CFR 404.1582 revised April 1, 1986, 20 CFR 404.1583 revised April 1, 1986, 20 CFR 404.1584 as amended May 16, 1983, 20 CFR 416.981, 20 CFR 416.982, 20 CFR 416.983 and 20 CFR 416.984 revised April 1, 1986. This incorporation contains no later amendments or editions.

C) According to Program Operations Manual System (POMS) Disability Insurance (DI) 24001, 24005 and 24010 revised June, 1987, the Social Security Administration Field Offices will have jurisdiction over work issue cases, that is, cases where there is an indication that a claimant is or has engaged in work activity during a period when disability was alleged or determined.

2) Does the individual have a severe impairment?

The Bureau incorporates the provisions for determining whether an impairment is or is not severe as specified in 20 CFR 404.1520(c), 20 CFR 404.1521, 20 CFR 416.920(c), and 20 CFR 416.921 as revised April 1, 1987. This incorporation contains no later amendments or editions.

3) Does the individual have an impairment(s) that meets or equals the Listing of Impairments?

A) The Bureau incorporates the criteria for the Listing of Impairments specified in the Code of Federal Regulations 20 CFR 404.1525a, 20 CFR 404.1525b, 20 CFR 404.1525c, 20 CFR 404.1525d, 20 CFR 404.1525e, 20 CFR 416.925a, 20 CFR 416.925b, 20 CFR 416.925c, 20 CFR 416.925d, 20 CFR 416.925e revised April 1, 1986, and 20 CFR Appendix 1 amended August 28, 1985, and December 6, 1985. This incorporation includes no later amendments or editions.

A) The Bureau incorporates the following criteria for the Listing of Impairments:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- i) Code of Federal Regulations 20 CFR 404.1525, 416.925, 404 Appendix 1 to Subpart P revised April 1, 1989;

ii) POMS DI 24525.000 Evaluation of Acquired Immunodeficiency Syndrome (AIDS) and AIDS-Related Complex (ARC) revised April 1989, POMS DI 24530.000 Evaluation of Musculoskeletal Issues revised February 1988, POMS DI 24540.000 Evaluation of Specific Issues - Respiratory revised February 1989, POMS DI 24545.001 Postmyocardial Infarction Cases revised September 1988, and POMS DI 24560.001 Evaluation of Chronic Myelogenous Leukemia, POMS DI 24575.000 Evaluation of Specific Issues - Multiple Body Systems, POMS DI 24580.000 Evaluation of Specific Issues - Neurological revised February 1988;

iii) With regard to the claims being reviewed under the Morrison, Doe and Decker class action lawsuit, the court-ordered criteria for evaluating drug addiction and alcoholism as specified in POMS DI 32551.000 et seq. revised September, 1986.

B) The Bureau incorporates the criteria for medical equivalence specified in the Code of Federal Regulations 20 CFR 404.1526a; -20-6FR-404:1526b; -20-6FR-404:1526c; 20-6FR and 416.926a; -20-6FR-416:926b- and-20-6FR 416:926c revised April 1, 1989. This incorporation includes no-inter-amendments-or editions:

C) If the individual has an impairment that is determined to meet the duration requirement and is listed in the Listing of Impairments or equal to a listed impairment, a determination that the individual is disabled will be made regardless of the individual's age, education, or work experience unless the individual meets the criteria specified in 89 Ill. Adm. Code 845.20(c)(1)(B).

4) Does the individual's impairment prevent him/her from doing past relevant work?

A) The Bureau incorporates the criteria for residual functional capacity specified in the Code of Federal Regulations -20-6FR-404:1545a; -20-6FR-404:1545b; -20-6FR-404:1545c; -20-6FR-404:1545d; -20-6FR-404:1546; -20-6FR-416:945a; -20-6FR-416:945b; -20-6FR-416:945c; -20-6FR

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

416-945d; -20-6FR-416:946-revised-April-1,-1986.-This incorporation includes no-inter-amendments-or editions:

A) The Bureau incorporates the criteria for evaluation of residual functional capacity and past work as specified in the Code of Federal Regulations 20 CFR 404.1545, 404.1546, 416.945 and 416.946 revised April 1, 1989; Social Security Rulings 82-40 (Titles II and XVI: The Vocational Relevance of the Past Work Performed in a Foreign Country), 82-52 (Titles II and XVI: Duration of the Impairment), 82-53 (Titles II and XVI: Basic Disability Evaluation Guides), 82-56 (Titles II and XVI: The Sequential Evaluation Process), 82-61 (Titles II and XVI: Past Relevant Work - The Particular Job or Occupation as Generally Performed), 82-62 (Titles II and XVI: A Disability Claimant's Capacity To Do Past Relevant Work, In General), 85-16 (Titles II and XVI: Residual Functional Capacity for Mental Impairments), 85-28 (Titles II and XVI: Medical Impairments That Are Not Severe). With regard to claims being reviewed under the Hyatt class action lawsuit, the Bureau also incorporates the court-ordered criteria for evaluating allegations of hypertension or diabetes as specified in POMS DI 32548.000 et seq. revised April, 1986.

B) If the individual has an impairment that cannot be evaluated on medical findings alone, then the residual functional capacity will be reviewed along with the physical and mental demands of the past work. This review will be conducted by a Bureau disability examiner as specified in 20 CFR 404.1520(e) amended March 5, 1985, 20 CFR 404.1615 revised April 1, 1986, 20 CFR 416.920(e) amended March 5, 1985, and 20 CFR 416.1015 amended May 29, 1981, and August 19, 1981. This incorporation contains no-inter-amendments-or editions:

C) If the individual can still do this kind of work, a determination that the individual is not disabled will be made.

5) Does the individual's impairment prevent him/her from doing other work?

A) The Bureau incorporates the criteria for vocational considerations specified in the Code of Federal Regulations -20-6FR-404:1560a; -20-6FR-404:1560b;

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

XVI: Capability To Do Other Work - The Medical Vocational Rules As a Framework for Evaluating Exertional Limitations Within a Range of Work or Between Ranges of Work), 83-14 (Titles II and XVI: Capability To Do Other Work - The Medical-Vocational Rules As a Framework for Evaluating a Combination of Exertional and Nonexertional Impairments), and 85-15 (Titles II and XVI: Capability To Do Other Work - The Medical-Vocational Rules As a Framework for Evaluating Solely Nonexertional Impairments). With regard to claims being reviewed under the Morrison, Doe and Decker class action lawsuit, the Bureau also incorporates the court-ordered criteria for evaluating residual functional capacity and making individualized vocational assessments as specified in POMS DI 32551.000 et seq. revised September 1986.

C) If the individual has an impairment that cannot be evaluated on medical findings alone, prevents him/her from performing past work but does not prevent him/her from doing other work, a determination that the individual is not disabled will be made.

d) When a fully or partially unfavorable determination has been made, an individual may request an administrative and judicial review of the determination according to the process described in the Code of Federal Regulations 20 CFR 404.900 and 20 CFR 416.1400 revised April 1, 1986. This incorporation contains no later amendments or editions.

e) The Bureau will make disability determinations according to the criteria specified in the code of Federal Regulations 20 CFR 404.1615 revised April 1, 1986 and 20 CFR 416.1015 as amended May 29, 1981 and August 19, 1981. This incorporation contains no later amendments or editions.

Section 845.30 Multiple Impairments

The Bureau incorporates the criteria for multiple impairments specified in the Code of Federal Regulations 20 CFR 404.1523 and 20 CFR 416.923 as amended March 5, 1985. This incorporation includes no later amendments or editions. See also 89 Ill. Adm. Code 845.20.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 845.40 Evaluation of Pain and Other Symptoms

- a) The Bureau incorporates the criteria for the evaluation of pain and other symptoms specified in the Code of Federal Regulations (20 CFR 404.1508, 404.1528, 404.1529, 416.908, 416.928, and 416.929 revised April, 1988); the Program Operations Manual System, Disability Insurance (DI) 22511.000 as amended August 1988, DI 24510.000 as amended January 1986, DI 24515.060 as amended October 1986, DI 24525.000 as amended September 1987, DI 24540.000 as amended February 1986, DI 24575.000 as amended February 1988, DI 24580.000 as amended February 1988, and DI 25005.000 as amended January 1986; and Social Security Rulings 82-51 (Titles II and XVI: Guidelines for Residual Functional Capacity Assessment in Musculoskeletal and Cardiovascular Impairments); 82-53 (Titles II and XVI: Basic Disability Evaluations Guides), 82-55 (Titles II and XVI: Medical Impairments That are Not Severe); 82-58 (Titles II and XVI: Evaluations of Symptoms); 83-19 (Titles II and XVI: Finding Disability on the Basis of Medical Considerations Alone - The Listing of Impairments and Medical Equivalency), and 88-13 (Titles II and XVI: Evaluation of Pain and Other Symptoms).

- b) The Bureau will consider the evaluation of pain and other symptoms in regard to the Listing of Impairments as described in 89 Ill. Adm. Code 860 (Listing of Impairments).

- c) With regard to the following class action lawsuits, the Bureau also incorporates the specified court-ordered criteria for evaluating pain:

- 1) In the case of Boyd, et al. v. Sullivan, POMS DI 32532.000 et seq. revised March, 1990.
- 2) In the case of Hyatt, et al. v. Bowen, POMS DI 32548.000 et seq. revised April, 1986.
- 3) In the case of Polaski, et al. v. Bowen, POMS DI 32553.000 et seq. revised December, 1989.
- 4) In the case of Samuels, et al. v. Bowen, POMS DI 32555.000 et seq. revised March, 1990.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Service Provision
- 2) Code Citation: 89 Ill. Adm. Code 695
- 3) Section Numbers: 695.300
695.400 Proposed Action:
amendment
amendment
- 4) Statutory Authority: Section 3(g) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, par. 3434(g)).
- 5) A Complete Description of the Subjects and Issues involved: This proposed amendment corrects a clerical error, and clarifies same language in Section 695.300. Section 695.400 is amended to clarify the responsibilities of the local office counselor.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
Yes X No
- 7) Does this rulemaking contain an automatic repeal date?
Yes X No
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No

- Section Numbers Proposed Action Illinois Register Citation
- 10) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Ms. Janice Lobb
Regulations and Training Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not effect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 695

SERVICE PROVISION

Section

695.10 Prerequisite to Provision of Services
695.100 Initiation of Service Provision
695.200 Emergency Services
695.300 Maintenance of Service Provision
695.400 Quality and Propriety of Service Provision

AUTHORITY: Implementing and authorized by section 3(g) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, par. 3434(g)).

SOURCE: Adopted and codified at 7 Ill. Reg. 31, p. 8943 effective July 18, 1983; amended at 8 Ill. Reg. 15624, effective August 17, 1984; amended at _____ Ill. Reg. _____, effective _____.

Section 695.300

Maintenance of Service Provision

- a) Services shall be authorized for no more than one calendar month at a time. This authorization shall be provided to the service provider prior to the beginning of each service month. Each voucher returned for payment must be accompanied by a client/vendor certification or Agency Billing Statement Group Billing Sheet (IL 488-0305) or the Home Services Program Agency Billing Statement (IL 488-0328), as appropriate, to certify that services were provided as billed.

- b) If payment is made in error, HSP shall seek to recover any overpayments from the recipient of such overpayments.

- c) Services shall not be provided during any period in which the client is not residing in his/her home or is not residing at another non-institutional residence eligible for the purpose of receiving HSP services. Services may not be provided while a client is institutionalized or is residing out of state under any circumstances.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

d) Minor or temporary changes in a client's situation will be reflected in a revision of service provision for the affected time period unless:

- 1) The averaged cost of service provision would exceed the projected cost of institutionalization for the individual
- 2) The disability determination is affected
- 3) The determination of need for long-term care is affected
- 4) Financial eligibility is affected
- 5) Other eligibility criteria (e.g., citizenship, residency) may be affected.
- e) WhereWhen, per 89 Ill. Adm. Code 695.300(d), service provision cannot be revised as a result of changed client situation, a redetermination must be conducted (see 89 Ill. Adm. Code 698).

f) If it becomes necessary to locate a new service provider, the provisions of see 89 Ill. Adm. Code 700 shall apply.

(Source: effective)

Amended at 14 Ill. Reg.

Section 695.400 Quality and Propriety of Service Provision

a) It is the responsibility of HSP to assure that quality services are provided to HSP clients. The local office counselor is responsible for working closely with the client to ensure the client's health and safety needs are being met. Service providers will be subject to an annual review by HSP staff to determine that services are provided as agreed to by the service provider in the service plan, and to the satisfaction of the client with service delivery. This annual review will be conducted in conjunction with the annual redetermination of client eligibility. In addition, client complaints or problems related to service providers will be resolved by local office staff or a new service provider will be located. If local office staff cannot resolve such difficulties, these may also

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

be referred to HSP management for resolution or for dissolution of any existing contractual agreements based on failure to provide services as agreed and as satisfactory to the client.

- b) If alleged fraud by a service provider or by a client as it relates to service provision is reported, local office staff will immediately refer the situation to the Internal Audit Division of the Department.
- c) Service providers retain the right to refuse service to clients on the basis of client failure to make required cost share payments, and on the basis of client behavior which is determined by the service provider to be unacceptable. This provision, however, is limited by the requirements of non-discrimination (See 89 Ill. Adm. Code 678.50). The service provider is to inform local office staff that services will be discontinued, at which time local office staff must attempt to locate another service provider.

(Source: effective)

Amended at Ill. Reg.

DEPARTMENT OF REHABILITATION SERVICES

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Training Services
- 2) Code Citation: 89 Ill. Adm. Code 592
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
592.50	Amendment
592.75	Amendment
592.80	Amendment
592.85	New Section
- 4) Statutory Authority: Authorized by "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(a), (b), and (k)).
- 5) A Complete Description of the Subjects and Issues involved: Section 592.50 clarifies the rate DORS will pay for a client who chooses to attend a private vocational school.
Section 592.80 clarifies that a client must maintain a GPA sufficient to meet their institution's graduation requirement in order to receive DORS Sponsorship.
New Section 592.85 clarifies health-related issues that are the client's responsibility.
- 6) Will this proposed rule replace an emergency rule currently in effect? Yes ☐ No ☒
- 7) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10)

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
<u>Statement of Statewide Policy Objectives (if applicable):</u>		
Not Applicable		

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Janice Lobb
 Regulations and Training Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429
 Telephone number: (217) 785-3896
 T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 592
 TRAINING SERVICES

Section	General Applicability
592.10	Training Objectives
592.20	Insurance Requirement
592.30	Transportation
592.40	Training Institution Qualifications
592.45	Tuition
592.50	Tutorial (Education or Language) Services for Deaf Individuals
592.55	Graduate School Training
592.60	Default on Educational Grants and Loans
592.65	Books and Supplies
592.70	Summer School
592.75	Grades
592.80	Health
592.85	On-the-Job Training
592.90	

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of "AN ACT in relation to rehabilitation of persons with one or more disabilities" (Ill. Rev. Stat. 1989, ch. 23, pars. 3434(a),(b), and (k)).

SOURCE: Adopted at 9 Ill. Reg. 8850, effective June 10, 1985; amended at 11 Ill. Reg. 9958, effective May 8, 1987; amended at 11 Ill. Reg. 20211, effective November 30, 1987; amended at 13 Ill. Reg. 1573, effective January 23, 1989; amended at 14 Ill. Reg. 1473, effective January 5, 1990; amended at 14 Ill. Reg. _____, effective _____.

Section 592.50 Tuition

- a) If a client is attending a private school or an out of state school merely out of choice and comparable quality training based upon accessibility, course offerings, and reputation is available at a state-operated facility, DORS may authorize for the total cost of attendance (including tuition, fees and maintenance) up to the maximum amount the highest state-operated facility would cost, less scholarships, other similar benefits (89 Ill. Adm. Code 567), and client participation (89 Ill. Adm. Code 562).

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

- b) If a client is attending a private school or an out of state school because there is no comparable training available at a state-operated facility, costs less than a state-operated school, or is doing so because of medical recommendations from the client's physician, DORS will authorize for the total cost (including tuition, fees, and maintenance), less scholarships, similar benefits, and client financial participation.
- c) If a client chooses to attend a private vocational school and comparable training is available at a local community college, DORS will only pay tuition and fees up to the established community college rate.
- d) If a client chooses to attend a community college outside his/her community college district due to program accessibility, and the IWRP (89 Ill. Adm. Code 572) reflects the counselor's agreement with the decision, DORS may pay the charge back only if the local community college district refuses to pay it. Documentation of the refusal must be obtained prior to authorization.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 592.75 Summer School

Summer school shall be provided only for those clients who:

- a) will graduate at the conclusion of the summer term; or
- b) must complete a course sequence for degree/graduation requirement that is offered only in the summer; or
- c) are ~~maximized~~ students with dependents who rely on DORS' sponsorship to provide their housing during training.

(Source: Amended at 14 Ill. Reg. _____, effective _____)

Section 592.80 Grades

DORS will sponsor a client in an educational institution as long as the client maintains the grade point average (GPA) established by that institution as sufficient to meet graduation requirements a "C" average (2.0 on a 4.0 point system) for each grading period (e.g., semester, or quarter or term), and also maintain a sufficient cumulative grade point average (GPA) to meet

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

graduation requirements in his/her major field of study. If at any time, a client's grades fall below a "C" average and/or below the cumulative GPA sufficient to meet graduation requirements, DORS will support the client for one additional grading period, regardless of when taken, and providing the client and his/her counselor continue to agree that academic training is an appropriate objective. During which this grading period, the student must achieve a "B" average or better for that grading period and show continued progress thereafter toward raising the cumulative GPA to the level required for graduation. "Continued progress" means any elevation of cumulative GPA for each successive grading period taken. If the educational institution does not have a grade point requirement, the client must maintain at least a "C" average (2.0 on a 4.0 system) or its equivalent.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 592.85 Health

a) If a client is prevented from attending classes regularly due to health reasons, he/she must secure a written verification of his/her condition from a physician or the institution's health service.

b) If a client withdraws from a training institution due to health reasons he/she must obtain a written verification of his/her condition from a physician.

c) If a client attending a training institution is hospitalized, he/she must inform the DORS counselor, in advance if possible.

(Source: Added at ___ Ill. Reg. ___, effective _____).

ILLINOIS CONSORTIUM FOR EDUCATIONAL OPPORTUNITY

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Illinois Consortium for Educational Opportunity Program

2) Code Citation: 23 Ill. Adm. Code 2400

3) Section Numbers: 2400.30 Adopted Action: Amended

4) Statutory Authority: Ill. Rev. Stat. 1987 and 1988 Supp., ch. 144, pars. 2301 et seq.

5) Effective Date of Rules: July 16, 1990

6) Does this rulemaking contain an automatic repeal date? No.

7) Does this rulemaking contain incorporation by reference? No.

8) Date Filed in Agency's Principal Office: June 20, 1990

9) Notice of Proposal Published in Illinois Register: 14 Ill. Reg. 1703, February 2, 1990

10) Has JCAR issued a Statement of Objection to these rules? No.

11) Difference(s) between proposal and final version: the authority note was revised to include the updated 1988 supplement to the 1987 Illinois Revised Statutes.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

13) Will this rule replace an emergency rule currently in effect? No.

14) Are there any amendments pending on this Part? No.

15) Summary and Purpose of Rule: The adopted amendments define "above average academic ability." These criteria were proposed in response to recommendations from the Joint Committee on Administrative Rules. The amendments also add conditions to maintain eligibility in the program.

16) Information and questions regarding this adopted rule shall be directed to:

Charles Morris, Illinois Consortium for Educational Opportunity
c/o Illinois Board of Higher Education
4 West Old Capitol Square, Room 500
Springfield, Illinois 62701
217/782-2551

The full text of the Adopted Amendments begins on the next page:

ILLINOIS CONSORTIUM FOR EDUCATIONAL OPPORTUNITY

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION

CHAPTER XV: ILLINOIS CONSORTIUM FOR EDUCATIONAL OPPORTUNITY

PART 2400
ILLINOIS CONSORTIUM FOR EDUCATIONAL OPPORTUNITY PROGRAM

Section

2400.10

Purpose

Definitions

2400.30 ICEOP Program Guidelines

Determining and Administering Awards

2400.40 Fulfillment of the Conditions of the Award

2400.50 Application Procedures

2400.60

AUTHORITY: Implementing and authorized by The Illinois Consortium for Educational Opportunity Act (Ill. Rev. Stat. 1987 and 1988 Supp., ch. 144, pars. 2301 et seq.)

SOURCE: Emergency Rule adopted at 10 Ill. Reg. 13402, effective July 28, 1986 for a maximum of 150 days; adopted at 11 Ill. Reg. 4674, effective March 6, 1987; amended at 14 Ill. Reg. 12262 effective July 16, 1990.

Section 2400.30 ICEOP Program Guidelines

a) An ICEOP participating institution shall:

- 1) be an institution of higher education as defined in the Act;
- 2) actively recruit students who will be eligible for ICEOP awards and verify to the Consortium Board that applicants for ICEOP financial assistance meet all eligibility requirements;
- 3) maintain records for award recipients including program application materials, contracts and records of award payments;
- 4) provide award recipients with academic and support services, such as mentoring, counseling, and other activities that would enhance the chances for degree completion and success in achieving the goals of the program;
- 5) supervise payment of awards from the funds awarded by the Consortium Board;
- 6) collect, process and forward to the Consortium Board by March 1 of each year all new applications and renewal forms from eligible students; and

ILLINOIS CONSORTIUM FOR EDUCATIONAL OPPORTUNITY

NOTICE OF ADOPTED AMENDMENTS

- 7) assist award recipients who complete their program of study in seeking a position in teaching or administration in an Illinois postsecondary educational institution or on an Illinois higher education governing or coordinating board staff.

b) For the applicant student to be eligible to participate in the ICEOP, the student shall establish and the applicable institution shall verify that the student applicant meets the following criteria:

- 1) he or she is an Illinois resident;
- 2) he or she is a member of a racial minority identified in the Act;
- 3) he or she has earned a baccalaureate degree from a postsecondary educational institution;
- 4) he or she has been admitted as a student pursuing a doctoral, master's, or postbaccalaureate professional degree and will pursue this degree objective at least as a half-time student, as defined by the institution;
- 5) he or she signs an agreement to meet the Act's employment conditions if an ICEOP award is accepted;
- 6) his or her financial resources are such that in the absence of a ICEOP grant the individual will be prevented from pursuing a graduate or professional degree at the institution; and
- 7) he or she has above-average academic ability to pursue a graduate or professional degree, as evidenced by admission to a graduate or professional degree program at the participating institution; the following:
 - A) completion of a baccalaureate degree from an accredited institution;
 - B) minimum grade point average of C+ (2.75 on a grade scale of 4.00 = A) in the last 60 hours of undergraduate work; and
 - C) admission to a post-baccalaureate degree program at an ICEOP participating institution.

e) In order to maintain eligibility in the program and in order to be considered for subsequent ICEOP grants, an awardee must meet scholastic requirements and eligibility for financial assistance as required by the institution in which she or he is enrolled as an ICEOP participant.

(Source: Amended at 14 Ill. Reg. 12262, effective July 16, 1990)

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Trifecta
- 2) Code Citation 11 Ill. Adm. Code 409
- 3) Section Number: 409.85 Adopted Action: Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1985, ch. 8, par 37-9(b)
- 5) Effective Date of Rule Amendments: July 13, 1990
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporation by reference? No.
- 8) Date filed in Agency's Principal Office: July 13, 1990
- 9) Notice of Proposal Published in Illinois Register:
14 Ill. Reg. 1849 - February 2, 1990
- 10) Has JCAR issued a Statement of Objections to this rule? No.
- 11) Differences between proposal and final version: No changes in the proposal were necessary.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were necessary.
- 13) Will these amendments replace emergency amendments currently in effect? No.
- 14) Are there any other proposed amendments pending in this Part? Yes, as follows:
409.65 Amendment 14 Ill. Reg. 1601 January 26, 1990
409.75 Amendment 14 Ill. Reg. 8553 June 1, 1990
- 15) Summary and purpose of rules: This rulemaking establishes a provision for a longer distance in harness trifecta races.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Illinois Racing Board
Legal Department
State of Illinois Center
100 West Randolph, Suite 11-100
Chicago, Illinois 60601

The full text of the adopted amendments begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER b: RULES APPLICABLE TO ORGANIZATION LICENSEES

PART 409
TRIFECTA

Section	
409.10	Trifecta Wager
409.20	Entries and Fields Prohibited
409.30	Winning Combinations
409.40	Dead Heat
409.50	Irregular Wagering Pattern
409.60	Special Conditions for Thoroughbred Trifecta Races (Repealed)
409.65	Trifecta Races
409.70	Special Conditions for Harness Trifecta Races (Repealed)
409.75	Restrictions on Thoroughbred Trifecta Races
409.80	Waiver of Rules (Repealed)
409.85	Restrictions on Harness Trifecta Races

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1987, ch. 8, par. 37-9(b)).

SOURCE: Adopted at 4 Ill. Reg. 38, p. 187, effective September 8, 1980; codified at 5 Ill. Reg. 10894; emergency amendment at 9 Ill. Reg. 2532, effective February 8, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 10270, effective June 21, 1985; amended at 14 Ill. Reg. 11317, effective July 3, 1990; amended at 14 Ill. Reg. 12265, effective July 13, 1990.

Section 409.85 Restrictions on Harness Trifecta Races

All harness trifecta races shall be contested at a distance of at least one mile.

(Source: Amended at 14 Ill. Ill. Reg. 12265, effective 7/13/90)

- 1) The Reading of the Part: Certificates of Title, Registration of Vehicles
- 2) Code Citation: 92 Ill. Adm. Code 1010
- 3) Section numbers: 1010.520
Adopted Action: Amendment
- 4) Statutory Authority: Implementing Chapter 3 and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 3-100 et seq. and 2-104(b))
- 5) Effective Date of Amendment: July 15, 1990
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: July 15, 1990
- 9) Notice of Proposal Published in Illinois Register:
14 Ill. Reg. 3022, March 2, 1990
- 10) Has JCARR issued a Statement of Objections to these amendments? No
- 11) Differences between proposal and final version:
1. Added the language "amended at 14 Ill. Reg. 6848, effective April 18, 1990" after the words "effective September 15, 1989" in the Source Note.
- 12) Have all the changes agreed upon by the agency and JCARR been made as indicated in the agreement letter issued by JCARR? Yes
- 13) Will these amendments replace an emergency rule amendment currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

Section Number	Proposed Action	Illinois Register Citation
1010.453	New Section	14 Ill. Reg. 8575
1010.454	New Section	14 Ill. Reg. 8575
1010.510	Amendment	14 Ill. Reg. 8998

- 15) Summary and Purpose of Rules: This rulemaking establishes the criteria for reducing the amount of a check issued to the Secretary of State to pay a fee or tax if the amount of the check is for a larger amount than required.

16) Information and questions regarding these adopted amendments shall be directed to:
Robert B. Powers
Assistant Counsel to the Secretary
298 Centennial Building
Springfield, Illinois 62706
217/785-3094

The full text of the Adopted Amendment begins on the next page:

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION

CHAPTER II: SECRETARY OF STATE

PART 1010

CERTIFICATES OF TITLE, REGISTRATION OF VEHICLES

SUBPART A: DEFINITIONS

Section

1010.10 Owner--Application of Term

1010.20 Secretary and Department

SUBPART B: TITLES

Section

1010.110 Salvage Certificate--Additional Information Required to Accompany Application for a Certificate of Title for a Rebuilt or a Restored Vehicle Upon Surrendering Salvage Certificate

1010.120 Salvage Certificate--Assignments and Reassignments

1010.130 Exclusiveness of Lien on Certificate of Title

1010.140 Documents Required to Title and Register Imported Vehicles Not Manufactured in Conformity with Federal Emission or Safety Standards

1010.150 Transferring Certificates of Title Upon the Owner's Death

1010.160 Repossession of Vehicles by Lienholders and Creditors

SUBPART C: REGISTRATION

Section

1010.210 Application for Registration

1010.220 Vehicles Subject to Registration - Exceptions

1010.230 Refusing Registration or Certificate of Title

1010.240 Registration Plates To Be Furnished By The Secretary of State

1010.250 Applications For Reassignment

SUBPART D: REVOCATION, SUSPENSION AND CANCELLATION OF REGISTRATION

Section

1010.300 Operation of Vehicle after Cancellation, Suspension, or Revocation of any Registration

1010.310 Improper Use of Evidences of Registration

1010.320 Suspension, Cancellation or Revocation of Illinois Registration Plates and Cards and Titles

1010.330 Operation of Vehicle Without Proper Illinois Registration

1010.350 Suspension or Revocation

1010.360 Surrender of Plates, Decals or Cards

NOTICE OF ADOPTED AMENDMENT(S)

SUBPART E: SPECIAL PERMITS AND PLATES

Section

1010.410 Temporary Registration - Individual Transactions

1010.420 Temporary Permit Pending Registration In Illinois

1010.440 Title and Registration of Vehicles with Permanently Mounted Equipment

1010.450 Special Plates

1010.451 Purple Heart License Plates

1010.452 Special Event License Plates

1010.455 Collectible License Plates

1010.456 Sample License Plates For Motion Picture and Television Studios

1010.460 Special Plates for Members of the United States Armed Forces Reserves

1010.470 Dealer Plate Records

1010.480 State of Illinois In-Transit Plates

SUBPART F: FEES

Section

1010.510 Determination of Registration Fees

1010.520 When Fees Returnable

1010.530 Circuit Breaker Registration Discount

1010.540 Maximum Fees for Distribution of Motor Vehicle Renewal Plates and/or Stickers

SUBPART G: MISCELLANEOUS

Section

1010.610 Unlawful Acts, Fines and Penalties

1010.620 Change of Engine

SUBPART H: SECOND DIVISION VEHICLES

Section

1010.705 Reciprocity

1010.710 Vehicle Proration

1010.715 Proration Fees

1010.720 Vehicle Apportionment

1010.725 Trip Leasing

1010.730 Intrastate Movements, Foreign Vehicles

1010.735 Interline Movements

1010.740 Trip and Short-term Permits

1010.745 Signal 30 Permit for Foreign Registered Vehicles (Repealed)

1010.750 Signal 30-Year-round for Prorated Fleets of Leased Vehicles (Repealed)

1010.755 Mileage Tax Plates

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

- 1010.756 Suspension or Revocation of Illinois Mileage Weight Tax Plates
- 1010.760 Transfer for "For-Hire" Loads
- 1010.765 Suspension or Revocation of Exemptions as to Foreign Registered Vehicles
- 1010.770 Required Documents for Trucks and Buses to detect "Intrastate" movements
- 1010.775 Certificate of Safety

APPENDIX A Uniform Vehicle Registration Proration and Reciprocity Agreement

APPENDIX B International Registration Plan

AUTHORITY: Implementing Chapter 3 and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, pars. 3-100 et seq. and 2-104(b)).

SOURCE: Filed and effective December 15, 1970; emergency amendments at 2 Ill. Reg. 25, p. 119, effective June 14, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 12, p. 76, effective March 23, 1979; amended at 3 Ill. Reg. 29, p. 123, effective July 20, 1979; amended at 4 Ill. Reg. 17, p. 247, effective April 11, 1980; emergency amendments at 4 Ill. Reg. 21, p. 99, effective May 14, 1980, for a maximum of 150 days; amended at 6 Ill. Reg. 2241, effective February 1, 1982; amended at 6 Ill. Reg. 11076, effective August 26, 1982; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 1432, effective January 21, 1983; amended at 7 Ill. Reg. 1436, effective January 21, 1983; amended at 8 Ill. Reg. 5329, effective April 6, 1984; amended at 9 Ill. Reg. 3358, effective March 1, 1985; amended at 9 Ill. Reg. 9176, effective May 30, 1985; amended at 9 Ill. Reg. 12863, effective August 2, 1985; amended at 9 Ill. Reg. 14711, effective September 13, 1985; amended at 10 Ill. Reg. 1243, effective January 6, 1986; amended at 10 Ill. Reg. 4245, effective February 26, 1986; amended at 10 Ill. Reg. 14308, effective August 19, 1986; recodified at 11 Ill. Reg. 15920; amended at 12 Ill. Reg. 14711, effective September 15, 1988; amended at 12 Ill. Reg. 15193, effective September 15, 1988; amended at 13 Ill. Reg. 1598, effective February 1, 1989; amended at 13 Ill. Reg. 5173, effective April 1, 1989; amended at 13 Ill. Reg. 7965, effective May 15, 1989; amended at 13 Ill. Reg. 15102, effective September 15, 1989; amended at 14 Ill. Reg. 4360, effective March 1, 1990; amended at 14 Ill. Reg. 6848, effective April 18, 1990; amended at 14 Ill. Reg. 12267, effective July 15, 1990

Section 1010.520 When Fees Returnable

- a) The Secretary of State may reduce by interlineation the amount of any personal check, or corporate check or company check drawn on the account of and delivered by any person applying for any license, title, or permit which requires payment of a fee or tax.
- b) The amount-of-such-reduction-shall-be-limited-to-\$15-00-or-less-and

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

- the drawer of the check shall be notified in writing of such reduction. Any-check-for-erroneous-amount-greater-than-\$15-00-shall-be-returned-to-the-drawer-applicant:
- c) Any check altered reduced pursuant to above shall be endorsed by the Secretary of State as follows: "ThisThe amount of this check is warranted to be \$-----" subsequent-holders-and-to-the-drawee-to-be-in-the-amount-\$-----"
- d)---All-applications-for-the-above-said-services-upon-reprinting-shall contain-the-following-authorization-statement---My-signature-above authorizes-the-Secretary-of-State--to--reduce-the-amount-of-my personal-check-if-the-amount-submitted-is-not-correct---i-understand this-will-be-done-only-if-the-amount-submitted-is-greater-than-the required-fee-hereunder;-but-in-no-event-shall-such-reduction-be-made in-the-amount-greater-than-\$15-00:

(Source: Amended at 14 Ill. Reg. 12267, effective July 15, 1990)

DEPARTMENT OF CORRECTIONS
NOTICE OF EMERGENCY AMENDMENT

DEPARTMENT OF CORRECTIONS
NOTICE OF EMERGENCY AMENDMENT

The full text of the emergency rules (amendments, repealers) begins on the next page:

1) Heading of the Part: RECORDS OF COMMITTED PERSONS

2) Code Citation: 20 Ill. Adm. Code 107

3) Section Numbers: Emergency Action:

107.210 Amend

4) Statutory Authority: Implementing and authorized by Section 3-6-3 of the Unified Code of Corrections (Ill. Rev. Stat. 1989, ch. 38, par. 1003-6-3, as amended by P.A. 86-1090, effective July 13, 1990).

5) Effective Date of Rule(s) (Amendments, Repealer): July 17, 1990.

6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:
Not applicable.

7) Date Filed in Agency's Principal Office: July 17, 1990

8) Reason for Emergency: Current overcrowding problems in the State prison system require immediate implementation of recent legislative changes to protect the public interest, safety, and welfare. These changes provide for an increase in the meritorious good time which may be awarded to certain committed persons, resulting in earlier releases.

9) A Complete Description of the Subjects and Issues Involved: The new law allows the Department to award up to 180 days, rather than 90 days, of meritorious good time per commitment, except for certain committed persons who are still limited to no more than 90 days of meritorious good time. Earlier releases for eligible committed persons will help relieve some of the problems of prison overcrowding.

10) Are there any proposed amendments to this Part pending? No.

11) Statement of Statewide Policy Objectives: Not applicable; this rulemaking does not create or expand any State mandates.

12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

Name: William H. Craine, Ph.D., Deputy Director
Illinois Department of Corrections
Address: 1301 Concordia Court
P. O. Box 19277
Springfield, Illinois 62794-9277
Telephone: 217/522-2666

DEPARTMENT OF CORRECTIONS

NOTICE OF EMERGENCY AMENDMENT

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER I: DEPARTMENT OF CORRECTIONS
SUBCHAPTER a: ADMINISTRATION AND RULES

PART 107**RECORDS OF COMMITTED PERSONS****SUBPART A: ADMISSION DOCUMENTS**

Section
 107.10
 107.20

Applicability
 Required Admission Documents

SUBPART B: DIMINUTION OF SENTENCE

Section
 107.100
 107.110
 107.120
 107.130

Applicability
 Diminution of Felony Sentences
 Good Time Schedules Applicable to Felony Sentences
 Consecutive Sentences
 Concurrent Sentences
 Revocation of Statutory Good Time and Good Conduct Credits
 Restoration of Statutory Good Time and Good Conduct Credits
 Institution Credits (Repealed)
 Misdemeanor Good Time Allowance

SUBPART C: MERITORIOUS GOOD TIME

Section
 107.200
 107.210
EMERGENCY

Applicability
 Awarding of Meritorious Good Time

SUBPART D: MAINTENANCE OF RECORDS

Section
 107.300
 107.310
 107.320
 107.330
 107.340

Applicability
 Access to Records
 Disclosure of Master Record File Material for Youth Committed to the Juvenile Division - Court Agreement
 Release of Clinical Records to Committed Persons and Authorized Attorneys (Adult Division) - Court Agreement
 Release of Clinical Records to Committed Persons and Authorized Attorneys (Community Services Division)

SUBPART E: ACCESS AND REVIEW OF CRIMINAL HISTORY RECORD INFORMATION

DEPARTMENT OF CORRECTIONS

NOTICE OF EMERGENCY AMENDMENT

Section
 107.400
 107.410
 107.420
 107.430
 107.440

Applicability
 Definition
 Right to Access and Review
 Requests for Access and Review
 Challenge of Record

AUTHORITY: Implementing Sections 3-2-2, 3-3-2, 3-5-1, 3-5-2, 3-6-3, 3-8-1, 3-10-1, 5-4-1, 5-8-6, and 5-8-7 of the Unified Code of Corrections (Ill. Rev. Stat. 1989, ch. 38, pars. 1003-2-2, 1003-3-2, 1003-5-1, 1003-5-2, 1003-6-3, 1003-8-1, 1003-10-1, 1005-4-1, 1005-8-6 and 1005-8-7, as amended by P.A. 86-1090, effective July 13, 1990), Sections 2-8, 5-10 and 5-12 of the Juvenile Court Act (Ill. Rev. Stat. 1989, ch. 37, pars. 702-8, 705-10 and 705-12) and Section 2 of the County Jail Good Behavior Allowance Act (Ill. Rev. Stat. 1989, ch. 75, par. 31) and authorized by Section 3-7-1 of the Unified Code of Corrections (Ill. Rev. Stat. 1989, ch. 38, par. 1003-7-1). Subpart D is also implementing two Consent Decrees (Beavers vs. Sielaff, #75 C 317, N.D. Ill., 1977, and Lower vs. Franzen, #78 C 1870, N.D. Ill., 1980).

SOURCE: Adopted at 8 Ill. Reg. 14572, effective August 1, 1984; amended at 10 Ill. Reg. 20497, effective January 1, 1987; amended at 13 Ill. Reg. 6992, effective May 1, 1989; emergency amendment at 14 Ill. Reg. 12273, effective July 17, 1990, for a maximum of 150 days.

SUBPART C: MERITORIOUS GOOD TIME**Section 107.210 Awarding of Meritorious Good Time****EMERGENCY**

a) In determining whether or not to award good conduct credits for meritorious service, the Director may examine or consider, among other matters:

- 1) The complete master record file of the committed person.
- 2) Reports or recommendations made concerning the committed person.
- 3) The fact that the committed person has not violated any rule of the Department over a period of time.
- 4) The job performance of the committed person while in the custody of the Department.
- 5) The educational program or achievements of the committed person while in the custody of the Department.

ILLINOIS REGISTER

DEPARTMENT OF CORRECTIONS

NOTICE OF EMERGENCY AMENDMENT

- 6) The action of the committed person in:
- A) Saving the life of an employee or other committed person;
 - B) Performing heroic service during a flood, tornado, or act of God;
 - C) Volunteering for an exceptionally hazardous or dangerous assignment; or
 - D) Assisting in maintaining control during a general disturbance.
- b) The decision to grant meritorious good time may be initiated unilaterally by the Director or his designee.
- c) In addition, petitions for granting meritorious good time may be submitted by any committed person or by any person or persons in the employ of the Department of Corrections on behalf of any committed person.
- d) No committed person shall be granted more than 90 180 days of meritorious good time during a term of incarceration.
- e) No persons who are committed for the following offenses shall be awarded more than 90 days of meritorious good time during a term of incarceration: first degree murder, reckless homicide while under the influence of alcohol or any other drug, aggravated kidnapping, aggravated criminal sexual assault, criminal sexual assault, deviate sexual assault, aggravated criminal sexual abuse, aggravated indecent liberties with a child, indecent liberties with a child, child pornography, heinous battery, aggravated battery of a spouse, aggravated battery of a spouse with a firearm, aggravated battery of a child, endangering the life or health of a child, cruelty to a child, or narcotic racketeering.

(Source: Emergency amendment at 14 Ill. Reg. 12273, effective July 17, 1990, for a maximum of 150 days)

ILLINOIS REGISTER

12278
90

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

- 1) The Heading of the Part: DRUG MANUAL
- 2) Code Citation: 89 Ill. Adm. Code 141
- 3) Section Numbers: Emergency Action:
- | | |
|----------|-----------|
| 141.100 | Amendment |
| 141.480 | Amendment |
| 141.640 | Amendment |
| 141.720 | Amendment |
| 141.800 | Amendment |
| 141.1080 | Amendment |
| 141.1200 | Amendment |
| 141.1640 | Amendment |
| 141.1880 | Amendment |
| 141.2960 | Amendment |
| 141.3200 | Amendment |
| 141.3520 | Amendment |
| 141.3560 | Amendment |
| 141.3920 | Amendment |
| 141.3960 | Amendment |
| 141.4040 | Amendment |
| 141.4360 | Amendment |
| 141.4440 | Amendment |
| 141.4640 | Amendment |
- 4) Statutory Authority: Sections 5-5.16 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.16 and 12-13) and Section 5.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, Ch. 127, Par. 1005.02)
- 5) Effective Date of Amendments: July 15, 1990
- 6) If this Emergency Amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable
- 7) Date Filed in Agency's Principal Office: July 15, 1990
- 8) Reason for Emergency: The reason for the emergency is pursuant to Section 5-5.16 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Par. 5-5.16) and 5.02 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, Ch. 127, Par. 1005.02) this rulemaking adds and deletes certain drugs from the Department's Drug Manual.
- 9) A Complete Description of the Subjects and Issues

Involved: With this rulemaking the Department makes several additions and deletions to various therapeutic categories of the Drug Manual.

- 10) Are there any proposed amendments pending to this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.
- 12) Information and questions regarding these Emergency Amendments shall be directed to:
- Name: Anita Williams, Staff Attorney
Office of the General Counsel
- Address: Illinois Department of Public Aid
Jesse B. Harris II Building
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762
- Telephone: (217) 782-1233

The full text of the Emergency amendments begins on the next page:

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 141
DRUG MANUAL

Section	DRUG MANUAL
141.10	AGENCY NOTES
141.100	EMERGENCY
141.200	ANALGESICS/NARCOTIC ANTAGONISTS: ANTIRHEUMATIC
141.240	ANALGESICS/NARCOTIC ANTAGONISTS: GOUT
141.280	ANALGESICS/NARCOTIC ANTAGONISTS: MIGRAINE
141.320	ANALGESICS/NARCOTIC ANTAGONISTS: NARCOTIC ANTAGONISTS
141.360	ANALGESICS/NARCOTIC ANTAGONISTS: NANOPIATE AGONISTS
141.400	ANALGESICS/NARCOTIC ANTAGONISTS: OPIATE AGONISTS
141.440	ANTI-ALCOHOL
141.480	ANTICONVULSANTS
141.520	EMERGENCY
141.560	ANTIDOTES
141.600	ANTIHYPERTENSIVES
141.640	ANTIMICROBIAL: AMINOGLYCOSIDES
141.680	ANTIMICROBIAL: ANTIFUNGALS
141.720	EMERGENCY
141.760	ANTIMICROBIAL: ANTITUBERCULARS
141.800	ANTIMICROBIAL: CEPHALOSPORINS
141.840	EMERGENCY
141.880	ANTIMICROBIAL: ERYTHROMYCINS
141.920	ANTIMICROBIAL: MISCELLANEOUS
141.960	ANTIMICROBIAL: NITROFURANTOINS
141.1000	ANTIMICROBIAL: PENICILLINS
141.1040	ANTIMICROBIAL: SULFONAMIDES
141.1080	ANTIMICROBIAL: TETRACYCLINES
141.1120	EMERGENCY
141.1160	BLOOD: ANTIANEMIA
141.1200	BLOOD: ANTICOAGULANT
141.1240	EMERGENCY
141.1280	BLOOD: HEMOSTATIC
141.1320	BLOOD: MISCELLANEOUS
	CALCIUM
	CARDIOVASCULAR: ANTIANGINAL
	CARDIOVASCULAR: ANTIARRHYTHMIC
	CARDIOVASCULAR: ANTIHYPERLIPIDEMICS
	CARDIOVASCULAR: BETA BLOCKERS

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Section	
141.1360	CARDIOVASCULAR: DIGITALIS GLYCOSIDES
141.1400	CARDIOVASCULAR: HYPOTENSION/SHOCK
141.1440	CARDIOVASCULAR: VASODILATOR (Repealed)
141.1480	CONTRACEPTIVE: NONORAL
141.1500	DIAPER RASH PRODUCTS
141.1520	DIURETICS
141.1320	CARDIOVASCULAR: BETA BLOCKERS
141.1360	CARDIOVASCULAR: DIGITALIS GLYCOSIDES
141.1400	CARDIOVASCULAR: HYPOTENSION/SHOCK
141.1440	CARDIOVASCULAR: VASODILATOR (Repealed)
141.1480	CONTRACEPTIVE: NONORAL
141.1500	DIAPER RASH PRODUCTS
141.1520	DIURETICS
141.1560	DOPAMINE RECEPTOR AGONISTS
141.1600	ENZYMES
141.1640	EYE/EAR/NOSE/THROAT: ANTIBIOTICS
EMERGENCY	
141.1680	EYE/EAR/NOSE/THROAT: ANTI-INFLAMMATORY
141.1720	EYE/EAR/NOSE/THROAT: ANTIVIRALS
141.1760	EYE/EAR/NOSE/THROAT: ANTIBIOTIC/ANTI-INFLAMMATORY
141.1800	EYE/EAR/NOSE/THROAT: LOCAL ANESTHETICS
141.1840	EYE/EAR/NOSE/THROAT: LUBRICANTS
141.1880	EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA
EMERGENCY	
141.1920	EYE/EAR/NOSE/THROAT: MISCELLANEOUS
141.1960	EYE/EAR/NOSE/THROAT: MISCELLANEOUS ANTI-INFECTIVES
141.2000	EYE/EAR/NOSE/THROAT: MYDRIATICS
141.2040	EYE/EAR/NOSE/THROAT: SULFONAMIDES
141.2080	EYE/EAR/NOSE/THROAT: SULFONAMIDE/ANTI-INFLAMMATORY
141.2120	EYE/EAR/NOSE/THROAT: TOPICAL DECONGESTANTS
141.2160	GASTROINTESTINAL: ANTACID/ADSORBENTS
141.2200	GASTROINTESTINAL: ANTIDIARRHEA
141.2240	GASTROINTESTINAL: ANTISPASMODICS
141.2280	GASTROINTESTINAL: DIGESTANTS
141.2320	GASTROINTESTINAL: EMETICS/ANTIEMETICS
141.2360	GASTROINTESTINAL: LAXATIVES
141.2400	GASTROINTESTINAL: MISCELLANEOUS
141.2440	GLUCOSE ELEVATORS
141.2480	HOMEOSTATIC/NUTRITIONAL: ACIDIFIERS
141.2520	HOMEOSTATIC/NUTRITIONAL: ALKALINIZERS
141.2560	HOMEOSTATIC/NUTRITIONAL: AMMONIA DETOXICANTS
141.2600	HOMEOSTATIC/NUTRITIONAL: INSULIN
141.2640	HOMEOSTATIC/NUTRITIONAL: IV FLUIDS
141.2680	HOMEOSTATIC/NUTRITIONAL: ORAL HYPOGLYCEMICS
141.2720	HOMEOSTATIC/NUTRITIONAL: VITAMINS

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Section	
141.2760	HORMONES/AGENTS AFFECTING MECHANISMS: ADRENAL CORTICAL STEROIDS
141.2800	HORMONES/AGENTS AFFECTING MECHANISMS: ANABOLIC HORMONES
141.2840	HORMONES/AGENTS AFFECTING MECHANISMS: ANDROGENS
141.2880	HORMONES/AGENTS AFFECTING MECHANISMS: ANTITHYROID
141.2920	HORMONES/AGENTS AFFECTING MECHANISMS: ESTROGENS/PROGESTINS
141.2960	HORMONES/AGENTS AFFECTING MECHANISMS: ORAL CONTRACEPTIVES
EMERGENCY	
141.3000	HORMONES/AGENTS AFFECTING MECHANISMS: OXYTOCICS
141.3040	HORMONES/AGENTS AFFECTING MECHANISMS: PARATHYROID
141.3080	HORMONES/AGENTS AFFECTING MECHANISMS: PITUITARY
141.3120	HORMONES/AGENTS AFFECTING MECHANISMS: THYROID
141.3160	HYDROCHOLERETICS
141.3200	IMMUNOSUPPRESSIVES
EMERGENCY	
141.3240	IRRIGATION SOLUTIONS
141.3280	MEDICAL SUPPLIES
141.3320	MISCELLANEOUS
141.3360	NEUROMUSCULAR DISORDERS: MYASTHENIA GRAVIS
141.3400	ONCOLYTIC/ANTINEOPLASTIC: ALKYLATING
141.3440	ONCOLYTIC/ANTINEOPLASTIC: ANTIBIOTICS
141.3480	ONCOLYTIC/ANTINEOPLASTIC: ANTIMETABOLITES
141.3520	ONCOLYTIC/ANTINEOPLASTIC: HORMONES
EMERGENCY	
141.3560	ONCOLYTIC/ANTINEOPLASTIC: MISCELLANEOUS
EMERGENCY	
141.3600	OSTOMY SUPPLIES
141.3640	PARASITICIDAL: ANTHELMINTICS
141.3680	PARASITICIDAL: ANTIPROTOZOALS
141.3720	POTASSIUM
141.3760	PSYCHOTHERAPEUTIC: ANTIANXIETY
141.3800	PSYCHOTHERAPEUTIC: ANTIDEPRESSANTS
141.3840	PSYCHOTHERAPEUTIC: ANTIMANIC
141.3880	PSYCHOTHERAPEUTIC: ANTIPARKINSON
141.3920	PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC
EMERGENCY	
141.3960	PSYCHOTHERAPEUTIC: MISCELLANEOUS
EMERGENCY	
141.4000	PSYCHOTHERAPEUTIC: SEDATIVE/HYPNOTIC
141.4040	RESPIRATORY/ALLERGIC: ANTIASTHMATIC
EMERGENCY	
141.4080	RESPIRATORY/ALLERGIC: ANTIHISTAMINE
141.4120	RESPIRATORY STIMULANTS
141.4160	SKELETAL MUSCLE RELAXANTS
141.4200	SKIN/MUCOUS MEMBRANE: ANTIBIOTICS

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

Section
 141.4230 SKIN/MUCOUS MEMBRANE: ANTIFUNGAL/ANTI-INFLAMMATORY
 141.4240 SKIN/MUCOUS MEMBRANE: ANTI-INFLAMMATORIES
 141.4280 SKIN/MUCOUS MEMBRANE: ANTIPRURITICS/ANESTHETICS
 141.4320 SKIN/MUCOUS MEMBRANE: ASTRINGENTS
 141.4360 SKIN/MUCOUS MEMBRANE: DERMAL ULCERS
 EMERGENCY
 141.4440 SKIN/MUCOUS MEMBRANE: FUNGICIDES
 EMERGENCY
 141.4480 SKIN/MUCOUS MEMBRANE: KERATOCYTIC
 141.4520 SKIN/MUCOUS MEMBRANE: LOCAL ANTI-INFECTIVES
 141.4560 SKIN/MUCOUS MEMBRANE: MISCELLANEOUS
 141.4600 SKIN/MUCOUS MEMBRANE: SCABICIDES/PEDICULOCIDES
 141.4640 TESTING SUPPLIES
 EMERGENCY
 141.4680 UNCLASSIFIED
 141.4720 URINARY ANTISPASMODICS
 141.4760 VAGINAL: ANTI-INFECTIVES
 141.4800 VAGINAL: MISCELLANEOUS

AUTHORITY: Implementing and authorized by Sections 5-5 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987-1989, Ch. 23, pars. 5-5 and 12-13).

SOURCE: Emergency amendment at 5 Ill. Reg. 13555, effective December 1, 1981, for a maximum of 150 days; amended at 6 Ill. Reg. 9991, effective August 1, 1982; emergency amendment at 6 Ill. Reg. 10042, effective August 1, 1982, for a maximum of 150 days; emergency amendment at 7 Ill. Reg. 1178, effective February 1, 1983, for a maximum of 150 days; amended and codified as 89 Ill. Adm. Code 140.72 at 7 Ill. Reg. 17358, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13779, effective July 24, 1984; recodified from 89 Ill. Adm. Code 140.72 and 89 Ill. Adm. Code 140.73 at 8 Ill. Reg. 16354; amended at 9 Ill. Reg. 3335, effective March 1, 1985; amended at 9 Ill. Reg. 19018, effective December 1, 1985; emergency amendment at 10 Ill. Reg. 8153, effective May 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 17681, effective September 28, 1986; emergency amendment at 10 Ill. Reg. 20828, effective December 1, 1986, for a maximum of 150 days; recodified from 89 Ill. Adm. Code 140.71 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 5235, effective March 12, 1987; emergency amendment at 11 Ill. Reg. 5330, effective March 13, 1987 for a maximum of 150 days; amended at 11 Ill. Reg. 11113, effective June 10, 1987; emergency amendment at 11 Ill. Reg. 11361, effective June 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 16726,

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

effective September 30, 1987; emergency amendment of 11 Ill. Reg. 20236, effective December 1, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 7358, effective April 12, 1988; emergency amendment at 12 Ill. Reg. 10197, effective June 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14219, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 15667, effective September 15, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 20851, effective December 2, 1988, for a maximum of 150 days; amended at 13 Ill. Reg. 516, effective December 28, 1988; amended at 13 Ill. Reg. 3850, effective March 17, 1989; emergency amendment at 13 Ill. Reg. 8036, effective May 15, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 10700, effective June 15, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15672, effective September 22, 1989; amended at 13 Ill. Reg. 16982, effective October 20, 1989; emergency amendment at 14 Ill. Reg. 2657, effective February 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 3595, effective February 27, 1990; amended at 14 Ill. Reg. 6339, effective April 16, 1990; amended at 14 Ill. Reg. 9464, effective May 31, 1990; emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SECTION 141.100 AGENCY NOTES
EMERGENCY

a) Explanation of drug restrictions

1) Group Care and Basic Health Restricted - The drug is available to all recipient categories except recipients with basic health coverage (i.e., recipients of general assistance, or Aid To The Medically Indigent) and individuals residing in a nursing home.

2) The nursing home must provide the following listed drugs to resident recipients at no charge to the recipient:

ACETAMINOPHEN DROPS 80MG/0.8ML
 ACETAMINOPHEN DROPS 120MG/2.5ML
 ACETAMINOPHEN ELIXIR/SYRUP 120MG/5ML
 ACETAMINOPHEN TAB/CAP 325MG
 ACETAMINOPHEN TAB/CAP 500MG
 ACETAMINOPHEN TAB/CAP 650MG

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.100
EMERGENCY

AGENCY NOTES (Cont'd)

ACETAMINOPHEN TABLET CHEWABLE 80MG
ACETAMINOPHEN TABLET CHEWABLE 120MG
ASPIRIN TAB BUFFERED 325MG
ASPIRIN TAB BUFFERED 600MG
ASPIRIN TAB EC 300MG
ASPIRIN TAB EC 600MG
ASPIRIN TAB PEDIATRIC
ASPIRIN TAB 300MG
ASPIRIN TAB 600MG
GLUCOLA LIQUID
MILK OF MAGNESIA LIQUID
MILD OF MAGNESIA TABLET
ZINC OXIDE OINTMENT

- b) No restrictions - The drug is available to all recipient categories including nursing home residents and recipients of basic health coverage.
- c) 1) Group care restricted - The drug is available to all recipients (including basic health recipients) except recipients residing in nursing homes.
- 2) The nursing home must provide the following listed items to resident recipients at no charge to the recipient:

ACETEST REAGENT TABLETS
ALBUSTIX STRIPS
CHEMSTRIP BG STRIPS
CHEMSTRIP GP
CHEMSTRIP K PAPERS
CHEMSTRIP TEST KIT
CHEMSTRIP UG STRIPS
CHEMSTRIP UGK STRIPS
CHEMSTRIP 5
CLINISTIX STRIP
CLINITEST (2 DROP)
CLINITEST ANALYSIS SET
CLINITEST ANALYSIS SET (2 DROP)
CLINITEST TABLET
CLINITEST TABLET FOIL
COMBISTIX
DEXTROSTIX REAGENT STRIPS
DEXTROSTIX REAGENT STRIPS FOIL

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.100
EMERGENCY

AGENCY NOTES (Cont'd)

DIASCAN DUAL PAD STRIPS
DIASTIX STRIPS
EXACTECH TEST STRIPS
GLUCOFILM TEST STRIPS
GLUCOSCAN TEST STRIPS
GLUCOSTIX STRIPS
HEMA-COMBISTIX
HEMASTIX STRIPS
HEMATEST TABLET
KETO-DIASTIX 5
KETOSTIX STRIPS
LABSTIX
LANCET FOR DIABETIC USE, STERILE
N-URISTIX
ONE TOUCH TEST STRIPS
TES-TAPE
TRACER BG STRIPS
TRENDSTRIPS
URISTIX
VISDEX II REAGENT STRIPS
ANY PRODUCT EQUIVALENT TO THOSE ON THE ABOVE LIST OR ANY OTHER NONLISTED DIABETIC TESTING SUPPLY

- d) Group care limited - The drug is available only to recipients residing in nursing homes.
- e) Basic health restricted - If no sign appears next to the drug, it is available to all categories of recipients except those receiving only basic health coverage.
- f) The drugs referenced in subsection (a) above are identified in the Drug Manual by a single asterisk immediately before the item number. The drugs referenced in subsection (b) above are identified in the Drug Manual by a double asterisk immediately before the item number. The drugs referenced in subsection (c) above are identified in the Drug Manual by a triple asterisk immediately before the item number. The drugs referenced in subsection (d) above

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.100 AGENCY NOTES (Cont'd)

are identified in the Drug Manual by the letter "G" immediately before the item number.

(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)

SECTION 141.480 ANTICONVULSANTS

Item Number	Drug Name and Strength
** 50005149	CARBAMAZEPINE SUSPENSION 100MG/5ML
** 50002141	CARBAMAZEPINE TABLET CHEWABLE 100MG
** 50002145	CARBAMAZEPINE TABLET 200MG
** 00710537	CELONTIN CAPSULE 150MG
** 00710525	CELONTIN CAPSULE 300MG
** 00746114	DEPAKOTE CAPSULE SPRINKLE 125MG
** 00746212	DEPAKOTE ENTERIC COATED TABLET 125MG
** 00746214	DEPAKOTE ENTERIC COATED TABLET 250MG
** 00746215	DEPAKOTE ENTERIC COATED TABLET 500MG
** 50000701	DIAZEPAM INJECTION 5MG/ML 2ML AMP
** 50000703	DIAZEPAM INJECTION 5MG/ML 2ML SYRINGE
** 50000705	DIAZEPAM INJECTION 5MG/ML 10ML VIAL
** 00040061	KLONOPIN TABLET 0.5MG
** 00040062	KLONOPIN TABLET 1.0MG
** 00040063	KLONOPIN TABLET 2.0MG
** 00780052	MESANTOIN TABLET 100MG
** 50004649	PHENOBARBITAL DROP 16MG/ML
** 50004650	PHENOBARBITAL ELIXIR 20MG/5ML
** 50004618	PHENOBARBITAL TABLET 15MG
** 50004626	PHENOBARBITAL TABLET 30MG
** 50004634	PHENOBARBITAL TABLET 60MG
** 50004642	PHENOBARBITAL TABLET 100MG
** 50000098	PHENYTOIN SODIUM INJECTION 100MG/2ML
** 50040099	PHENYTOIN SODIUM INJECTION 250MG/5ML
** 50002372	PHENYTOIN SODIUM EXTENDED CAPSULE 30MG
** 50002380	PHENYTOIN SODIUM EXTENDED CAPSULE 100MG
** 50002401	PHENYTOIN SODIUM PROMPT CAPSULE 100MG
** 50002381	PHENYTOIN SUSPENSION 30MG/5ML
** 50002382	PHENYTOIN SUSPENSION 125MG/5ML
** 50002364	PHENYTOIN TABLET CHEWABLE 50MG
** 50004036	PRIMIDONE SUSPENSION 250MG/5ML
** 50004032	PRIMIDONE TABLET 50MG
** 50004034	PRIMIDONE TABLET 250MG
** 50002180	VALPROATE SODIUM SYRUP 250MG/5ML

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.480 ANTICONVULSANTS (Cont'd)

Item Number	Drug Name and Strength
** 50002182	VALPROIC ACID CAPSULE 250MG
** 00710237	ZARONTIN CAPSULE 250MG
** 00711418	ZARONTIN SYRUP 250MG/5ML

(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)

SECTION 141.640 ANTIMICROBIAL: ANTIFUNGALS

Item Number	Drug Name and Strength
** 50001180	AMPHOTERICIN B INJECTION 50MG/VIAL
** 00040077	ANCOBON CAP 250MG
** 00040079	ANCOBON CAP 500MG
** 60008006	ANTIFUNGAL-INJECTION-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 60008005	ANTIFUNGAL-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 50008104	CLOTRIMAZOLE TROCHE 10MG
** 50005530	FLUCONAZOLE TABLET 50MG
** 50005532	FLUCONAZOLE TABLET 100MG
** 50005534	FLUCONAZOLE TABLET 200MG
** 50005536	FLUCONAZOLE 2 MG/ML INJECTION IN SODIUM CHLORIDE 100ML (GLASS)
** 50005537	FLUCONAZOLE 2MG/ML INJECTION IN SODIUM CHLORIDE 200ML (GLASS)
** 50005538	FLUCONAZOLE 2MG/ML INJECTION IN SODIUM CHLORIDE 100ML (PLASTIC)
** 50005539	FLUCONAZOLE 2MG/ML INJECTION IN SODIUM CHLORIDE 200ML (PLASTIC)
** 50002942	GRISEOFULVIN MICROCRY SUSP 125MG/5CC
** 50002925	GRISEOFULVIN MICROCRY TAB/CAP 125MG
** 50002933	GRISEOFULVIN MICROCRY TAB/CAP 250MG
** 50002941	GRISEOFULVIN MICROCRY TAB/CAP 500MG
** 50002945	GRISEOFULVIN ULTRAMICROCRYSTALLINE TABLET 125MG
** 50002947	GRISEOFULVIN ULTRAMICROCRYSTALLINE TABLET 165MG
** 50002946	GRISEOFULVIN ULTRAMICROCRYSTALLINE TABLET 250MG
** 50002949	GRISEOFULVIN ULTRAMICROCRYSTALLINE TABLET 330MG

SECTION 141.640 ANTIMICROBIAL: ANTIFUNGALS (Cont'd)

Item Number	Drug Name and Strength
** 50001181	MICONAZOLE INJECTION 10MG/ML 20ML AMP
** 05045822	NIZORAL TABLET 200MG
** 50002302	NYSTATIN ORAL POWDER 150 MILLION UNITS
** 50004000	NYSTATIN ORAL SUSPENSION 100,000U/ML
** 50007103	NYSTATIN ORAL SUSPENSION 100,000U/ML
** 50003998	NYSTATIN ORAL TAB/CAP 500,000U
** 50007004	NYSTATIN PASTILLE 200,000U
(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)	
SECTION 141.720 ANTIMICROBIAL: CEPHALOSPORINS	
EMERGENCY	
Item Number	Drug Name and Strength
** 50001210	CEFACLOX CAPSULE 250MG
** 50001211	CEFACLOX CAPSULE 500MG
** 50001212	CEFACLOX ORAL SUSPENSION 125MG/5ML 100ML
** 50001213	CEFACLOX ORAL SUSPENSION 125MG/5ML 150ML
** 50001203	CEFACLOX ORAL SUSPENSION 187MG/5ML 50ML
** 50001205	CEFACLOX ORAL SUSPENSION 187MG/5ML 100ML
** 50001214	CEFACLOX ORAL SUSPENSION 250MG/5ML 75ML
** 50001215	CEFACLOX ORAL SUSPENSION 250MG/5ML 150ML
** 50001207	CEFACLOX ORAL SUSPENSION 375MG/5ML 50ML
** 50001209	CEFACLOX ORAL SUSPENSION 375MG/5ML 100ML
** 50003419	CEFADROXIL CAPSULE 500MG
** 50003390	CEFADROXIL ORAL SUSPENSION 125MG/5ML 50ML
** 50003391	CEFADROXIL ORAL SUSPENSION 125MG/5ML 100ML
** 50003392	CEFADROXIL ORAL SUSPENSION 250MG/5ML 50ML
** 50003393	CEFADROXIL ORAL SUSPENSION 250MG/5ML 100ML
** 50001222	CEFADROXIL ORAL SUSPENSION 500MG/5ML 50ML
** 50001225	CEFADROXIL ORAL SUSPENSION 500MG/5ML 100ML
** 50003417	CEFADROXIL TABLET 1GM
** 50001240	CEFAMANDOLE NAFATE INJECTION 500MG/10ML VIAL
** 50001241	CEFAMANDOLE NAFATE INJECTION 1GM/10ML VIAL
** 50003210	CEFAMANDOLE NAFATE INJECTION 1GM/100ML PB VIAL
** 50001242	CEFAMANDOLE NAFATE INJECTION 2GM/10ML VIAL
** 50003212	CEFAMANDOLE NAFATE INJECTION 2GM/100ML PB VIAL
** 50008054	CEFAZOLIN SODIUM INJECTION 250MG 10ML VIAL
** 50008055	CEFAZOLIN SODIUM INJECTION 500MG 10ML VIAL
** 50008059	CEFAZOLIN SODIUM INJECTION 500MG 100ML PB VIAL
** 50008056	CEFAZOLIN SODIUM INJECTION 1GM 10ML VIAL

SECTION 141.720 ANTIMICROBIAL: CEPHALOSPORINS (Cont'd)

Item Number	Drug Name and Strength
** 50008060	CEFAZOLIN SODIUM INJECTION 1GM 100ML PB VIAL
** 50008057	CEFAZOLIN SODIUM INJECTION 5GM 100ML VIAL
** 50008058	CEFAZOLIN SODIUM INJECTION 10GM 100ML VIAL
** 50003218	CEFAZOLIN SODIUM; DEXTROSE INJECTION 1GM/50ML; 2.5GM/50ML (5%)
** 50003220	CEFAZOLIN SODIUM; SODIUM CHLORIDE INJECTION 1GM/50ML; 450MG/50ML (0.9%)
** 50001183	CEFIXIME TABLET 200MG
** 50001185	CEFIXIME TABLET 400MG
** 50001187	CEFIXIME ORAL SUSPENSION 100MG/5ML 50ML
** 50001189	CEFIXIME ORAL SUSPENSION 100MG/5ML 100ML
** 50004075	CEFMETAZOLE SODIUM INJECTION 1GM VIAL
** 50004077	CEFMETAZOLE SODIUM INJECTION 2GM VIAL
** 50004740	CEFONICID SODIUM INJECTION 500MG/10ML VIAL
** 50004742	CEFONICID SODIUM INJECTION 1GM/10ML VIAL
** 50004744	CEFONICID SODIUM INJECTION 1GM/100ML PB VIAL
** 50004746	CEFONICID SODIUM INJECTION 10GM/100ML VIAL
** 50001243	CEFOPERAZONE SODIUM INJECTION 1GM VIAL
** 50001244	CEFOPERAZONE SODIUM INJECTION 2GM VIAL
** 50004015	CEFORANIDE INJECTION 500MG PB VIAL
** 50004011	CEFORANIDE INJECTION 500MG VIAL
** 50004017	CEFORANIDE INJECTION 1GM PB VIAL
** 50004013	CEFORANIDE INJECTION 1GM VIAL
** 50001906	CEFORANIDE INJECTION 10GM VIAL
** 50001245	CEFOTAXIME SODIUM INJECTION 500MG VIAL
** 50003222	CEFOTAXIME SODIUM INJECTION 1GM INFUSION VIAL
** 50001246	CEFOTAXIME SODIUM INJECTION 1GM VIAL
** 50003224	CEFOTAXIME SODIUM INJECTION 2GM INFUSION VIAL
** 50001247	CEFOTAXIME SODIUM INJECTION 2GM VIAL
** 50002391	CEFOTETAN DISODIUM INJECTION 1GM/10ML
** 50002393	CEFOTETAN DISODIUM INJECTION 1GM/100ML
** 50002395	CEFOTETAN DISODIUM INJECTION 2GM/20ML
** 50002397	CEFOTETAN DISODIUM INJECTION 2GM/100ML
** 50001248	CEFOXITIN SODIUM INJECTION 1GM/10ML VIAL
** 50003230	CEFOXITIN SODIUM INJECTION 1GM/100ML INFUSION VIAL
** 50001249	CEFOXITIN SODIUM INJECTION 2GM/20ML VIAL
** 50003232	CEFOXITIN SODIUM INJECTION 2GM/100ML INFUSION VIAL
** 50002361	CEFTAZIDIME INJECTION 500MG VIAL
** 50002363	CEFTAZIDIME INJECTION 1GM PB VIAL
** 50002365	CEFTAZIDIME INJECTION 1GM VIAL
** 50002367	CEFTAZIDIME INJECTION 2GM PB VIAL

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.720 ANTIMICROBIAL: CEPHALOSPORINS (Cont'd)

EMERGENCY

Item Number	Drug Name and Strength
** 50002369	CEFTAZIDIME INJECTION 2GM VIAL
** 50002371	CEFTAZIDIME INJECTION 6GM VIAL
** 50003238	CEFTIZOXIME SODIUM INJECTION 1GM PB VIAL
** 50004825	CEFTIZOXIME SODIUM INJECTION 1GM VIAL
** 50003240	CEFTIZOXIME SODIUM INJECTION 2GM PB VIAL
** 50004826	CEFTIZOXIME SODIUM INJECTION 2GM VIAL
** 50003244	CEFTIZOXIME SODIUM; DEXTROSE INJECTION 1GM/50ML; 2.5GM/50ML (5%) BAG
** 50003248	CEFTIZOXIME SODIUM; DEXTROSE INJECTION 2GM/50ML; 2.5GM/50ML (5%) BAG
** 50003260	CEFTRIAXONE SODIUM INJECTION 250MG VIAL
** 50003262	CEFTRIAXONE SODIUM INJECTION 500MG VIAL
** 50003264	CEFTRIAXONE SODIUM INJECTION 1GM PB VIAL
** 50003250	CEFTRIAXONE SODIUM INJECTION 1GM VIAL
** 50003252	CEFTRIAXONE SODIUM INJECTION 2GM PB VIAL
** 50003254	CEFTRIAXONE SODIUM INJECTION 2GM VIAL
** 50003256	CEFTRIAXONE SODIUM INJECTION 10GM VIAL
** 50004841	CEFUROXIME AXETIL TABLET 125MG
** 50004843	CEFUROXIME AXETIL TABLET 250MG
** 50004845	CEFUROXIME AXETIL TABLET 500MG
** 50008764	CEFUROXIME SODIUM INJECTION 750MG INFUSION VIAL
** 50004830	CEFUROXIME SODIUM INJECTION 750MG VIAL
** 50003290	CEFUROXIME SODIUM INJECTION 1.5GM INFUSION VIAL
** 50004832	CEFUROXIME SODIUM INJECTION 1.5GM VIAL
** 50004834	CEFUROXIME SODIUM INJECTION 7.5GM/100ML
** 50001251	CEPHALEXIN CAPSULE 250MG
** 50001252	CEPHALEXIN CAPSULE 500MG
** 50001231	CEPHALEXIN HCL TABLET 250MG
** 50001233	CEPHALEXIN HCL TABLET 500MG
** 50001258	CEPHALEXIN ORAL SUSPENSION 100MG/ML 10ML
** 50001253	CEPHALEXIN ORAL SUSPENSION 125MG/5ML 60ML BOTTLE
** 50001254	CEPHALEXIN ORAL SUSPENSION 125MG/5ML 200 100ML BOTTLE
** 50001255	CEPHALEXIN ORAL SUSPENSION 125MG/5ML 200ML BOTTLE
** 50001256	CEPHALEXIN ORAL SUSPENSION 250MG/5ML 100ML BOTTLE
** 50001257	CEPHALEXIN ORAL SUSPENSION 250MG/5ML 200ML BOTTLE
** 50001260	CEPHALEXIN TABLET 250MG

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.720 ANTIMICROBIAL: CEPHALOSPORINS (Cont'd)

EMERGENCY

Item Number	Drug Name and Strength
** 50001263	CEPHALEXIN TABLET 500MG
** 50001259	CEPHALEXIN TABLET 1GM
** 60008010	CEPHALOSPORIN-INJECTION-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 60008009	CEPHALOSPORIN-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 50001273	CEPHALOTHIN SODIUM INJECTION 1GM/10ML VIAL
** 50004103	CEPHALOTHIN SODIUM INJECTION 1GM/100ML VIAL
** 50001274	CEPHALOTHIN SODIUM INJECTION 2GM/10ML VIAL
** 50004105	CEPHALOTHIN SODIUM INJECTION 2GM/100ML VIAL
** 50001275	CEPHALOTHIN SODIUM INJECTION 4GM/50ML VIAL
** 50001276	CEPHALOTHIN SODIUM INJECTION 4GM/50ML 20GM/200ML VIAL
** 50001290	CEPHAPIRIN SODIUM INJECTION 500MG VIAL
** 50004107	CEPHAPIRIN SODIUM INJECTION 1GM PB VIAL
** 50001291	CEPHAPIRIN SODIUM INJECTION 1GM VIAL
** 50004109	CEPHAPIRIN SODIUM INJECTION 2GM PB VIAL
** 50001292	CEPHAPIRIN SODIUM INJECTION 2GM VIAL
** 50001293	CEPHAPIRIN SODIUM INJECTION 4GM PB VIAL
** 50001294	CEPHAPIRIN SODIUM INJECTION 20GM VIAL
** 50001600	CEPHRADINE CAPSULE 250MG
** 50001601	CEPHRADINE CAPSULE 500MG
** 50003756	CEPHRADINE INJECTION 2GM INFUSION VIAL
** 50003757	CEPHRADINE INJECTION 4GM INFUSION VIAL
** 50001605	CEPHRADINE ORAL SUSPENSION 125MG/5ML 100ML BOTTLE
** 50002310	CEPHRADINE ORAL SUSPENSION 125MG/5ML 200ML BOTTLE
** 50001608	CEPHRADINE ORAL SUSPENSION 250MG/5ML 100ML BOTTLE
** 50002311	CEPHRADINE ORAL SUSPENSION 250MG/5ML 200ML BOTTLE
** 50001602	CEPHRADINE TABLET 1GM
** 50003753	CEPHRADINE INJECTION 250MG VIAL
** 50003754	CEPHRADINE INJECTION 500MG VIAL
** 50003755	CEPHRADINE INJECTION 1GM VIAL
** 50001298	MOXALACTAM DISODIUM INJECTION 1GM VIAL
** 50001299	MOXALACTAM DISODIUM INJECTION 2GM VIAL

(Source: Emergency amendment at 14 Ill. Reg. 12278,
effective July 15, 1990, for a maximum of 150 days)

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.800
EMERGENCY

ANTIMICROBIAL: MISCELLANEOUS

Item Number	Drug Name and Strength
** 50004923	ACYCLOVIR CAPSULE 200MG
** 50001410	ACYCLOVIR INJECTION 500MG VIAL
** 50001400	ACYCLOVIR INJECTION 1000MG
** 50004900	ACYCLOVIR SUSPENSION 200MG/5ML
** 50000851	AMANTADINE HCL CAPSULE 100MG
** 50000853	AMANTADINE HCL SYRUP 50MG/5ML
** 60008018	ANTIMICROBIAL MISCELLANEOUS-INJECTION-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 60008017	ANTIMICROBIAL MISCELLANEOUS-ORAL-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 50005151	AZTREONAM INJECTION 500MG/100ML BOTTLE
** 50005153	AZTREONAM INJECTION 1GM/15ML VIAL
** 50005155	AZTREONAM INJECTION 1GM/15ML VIAL
** 50005157	AZTREONAM INJECTION 1GM/100ML BOTTLE
** 50005159	AZTREONAM INJECTION 2GM/15ML VIAL
** 50005161	AZTREONAM INJECTION 2GM/100ML BOTTLE
** 50001411	BACITRACIN INJECTION 10,000 UNITS IM
** 50001412	BACITRACIN INJECTION 50,000 UNITS IM
** 50001128	CHLORAMPHENICOL CAPSULE 250MG
** 50001413	CHLORAMPHENICOL CAPSULE 500MG
** 50001236	CHLORAMPHENICOL PALMITATE ORAL SUSPENSION 150MG/5ML 60ML
** 50000061	CHLORAMPHENICOL SODIUM SUCCINATE INJECTION 1GM VIAL
** 50001414	CINOXACIN CAPSULE 250MG
** 50001415	CINOXACIN CAPSULE 500MG
** 50001793	CIPROFLOXACIN TABLET 250MG
** 50001795	CIPROFLOXACIN TABLET 500MG
** 50001797	CIPROFLOXACIN TABLET 750MG
** 50001416	CLINDAMYCIN HCL CAPSULE 75MG
** 50001417	CLINDAMYCIN HCL CAPSULE 150MG
** 50005804	CLINDAMYCIN HCL CAPSULE 300MG
** 50001418	CLINDAMYCIN PALMITATE GRANULES 75MG/5ML 100ML AMP/VIAL
** 50001420	CLINDAMYCIN PHOSPHATE INJECTION 300MG/2ML 2ML AMP/VIAL
** 50001421	CLINDAMYCIN PHOSPHATE INJECTION 600MG/4ML 4ML AMP/VIAL
** 50001419	CLINDAMYCIN PHOSPHATE INJECTION 900MG/6ML 6ML AMP/VIAL
** 50001423	COLISTIN METHATE SODIUM INJECTION 150MG VIAL
** 50001424	COLISTIN SULFATE ORAL SUSPENSION 25MG/5ML 60ML
** 50001219	DAPSONE TABLET 25MG
** 50001223	DAPSONE TABLET 100MG

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.800
EMERGENCY

ANTIMICROBIAL: MISCELLANEOUS (Cont'd)

Item Number	Drug Name and Strength
** 50002013	ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML;
** 50002015	SULFISOXAZOLE ACETYL 600MG/5ML SUSP 100ML
** 50002017	ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML;
** 50002017	SULFISOXAZOLE ACETYL 600MG/5ML SUSP 150ML
** 50001425	ERYTHROMYCIN ETHYLSUCCINATE 200MG/5ML;
** 50001426	SULFISOXAZOLE ACETYL 600MG/5ML SUSP 200ML
** 50001426	FURAZOLIDONE LIQUID 50MG/15ML
** 50001426	FURAZOLIDONE TABLET 100MG
** 50001103	GANCYCLOVIR SODIUM INJECTION 500MG VIAL
** 50001427	HYDROXYSTILBAMIDINE ISOETHIONATE INJECTION 225MG/20ML AMP
** 50002331	IMIPENEM 250MG; CILASTATIN SODIUM 250MG INJECTION INFUSION VIAL
** 50002333	IMIPENEM 250MG; CILASTATIN SODIUM 250MG INJECTION VIAL
** 50002335	IMIPENEM 500MG; CILASTATIN SODIUM 500MG INJECTION INFUSION VIAL
** 50002339	IMIPENEM 500MG; CILASTATIN SODIUM 500MG INJECTION VIAL
** 00280108	LAMPRENE CAPSULE 50MG
** 00280109	LAMPRENE CAPSULE 100MG
** 50001428	LINCOMYCIN CAPSULE 250MG
** 50001429	LINCOMYCIN CAPSULE 500MG
** 50001431	LINCOMYCIN INJECTION 300MG/ML 2ML SYRINGE
** 50001432	LINCOMYCIN INJECTION 300MG/ML 2ML VIAL
** 50001433	LINCOMYCIN INJECTION 300MG/ML 10ML VIAL
** 50001018	METHENAMINE HIPPURATE TABLET 1GM
** 50003780	METHENAMINE MANDELATE GRANULES 0.5GM
** 50003781	METHENAMINE MANDELATE GRANULES 1.0GM
** 50003778	METHENAMINE MANDELATE SUSP 50MG/ML
** 50003779	METHENAMINE MANDELATE SUSP 100MG/ML
** 50003735	METHENAMINE MANDELATE TAB 0.25GM
** 50003743	METHENAMINE MANDELATE TAB 0.50GM
** 50003751	METHENAMINE MANDELATE TAB 1.00GM
** 50001435	METHYLENE BLUE TABLET 65MG
** 50001436	NALIDIXIC ACID ORAL SUSPENSION 250MG/5ML
** 50001437	NALIDIXIC ACID TABLET 250MG
** 50001438	NALIDIXIC ACID TABLET 500MG
** 50001439	NALIDIXIC ACID TABLET 1GM

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.800 ANTIMICROBIAL: MISCELLANEOUS (Cont'd)

EMERGENCY

Item Number	Drug Name and Strength
** 50005526	NEOMYCIN SULFATE EQ 40MG BASE/ML; POLYMYXIN B SULFATE 200,000U/ML 1ML
** 50005528	NEOMYCIN SULFATE EQ 40MG BASE/ML; POLYMYXIN B SULFATE 200,000U/ML 20ML
** 50005523	NORFLOXACIN TABLET 400MG
** 50001570	NOVOBIOCIN CAPSULE 250MG
** 50002428	PENTAMIDINE ISETHIONATE FOR INHALATION 300MG VIAL
** 50004951	PENTAMIDINE ISETHIONATE INJECTION 300MG/VIAL
** 50004028	PHENAZOPYRIDINE HCL TABLET 100MG
** 50004030	PHENAZOPYRIDINE HCL TABLET 200MG
** 50001571	POLYMYXIN B SULFATE INJECTION 500,000 UNITS/VIAL
** 50001572	SPECTINOMYCIN INJECTION 2GM VIAL
** 50001573	SPECTINOMYCIN INJECTION 4GM VIAL
** 50001218	SULFAMETHOXAZOLE 200MG/5ML; TRIMETHOPRIM 40MG/5ML SUSPENSION
** 50001220	SULFAMETHOXAZOLE 400MG; TRIMETHOPRIM 80MG TABLET
** 50001221	SULFAMETHOXAZOLE 800MG; TRIMETHOPRIM 160MG TABLET
** 50001217	SULFAMETHOXAZOLE 400MG/5ML; TRIMETHOPRIM 80MG/5ML INJECTION 5ML AMP/VIAL
** 50001574	SULFOXONE SODIUM TABLET ENTERIC COATED 165MG
** 50001224	TRIMETHOPRIM TABLET 100MG
** 50001575	TRIMETHOPRIM TABLET 200MG
** 50006866	TROLEANDOMYCIN CAPSULE 250MG
** 50006874	TROLEANDOMYCIN SUSPENSION 125MG/5ML
** 50000901	VANCOMYCIN HCL CAPSULE 125MG
** 50000903	VANCOMYCIN HCL CAPSULE 250MG
** 50001576	VANCOMYCIN HCL INJECTION 500MG
** 50001579	VANCOMYCIN HCL INJECTION 1GM VIAL
** 50002523	VANCOMYCIN HCL ORAL SOLUTION 1GM/20ML
** 50001577	VANCOMYCIN HCL ORAL SOLUTION 10GM/115ML
** 50001578	VIDARABINE INJECTION 200MG/5ML 10ML VIAL
** 50009000	ZIDOVUDINE CAPSULE 100MG
** 50009005	ZIDOVUDINE INJECTION 10MG/ML 20ML
** 50009001	ZIDOVUDINE SYRUP 50MG/5ML

(Source: Emergency amendment at 14 Ill. Reg. 12278,
effective July 15, 1990, for a maximum of 150 days)

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.1080 BLOOD: ANTICOAGULANT

EMERGENCY

Item Number	Drug Name and Strength
** 50001055	HEPARIN SODIUM INJECTION 10U/ML 1ML
** 50001057	HEPARIN SODIUM INJECTION 10U/ML 2ML
** 50001059	HEPARIN SODIUM INJECTION 10U/ML 10ML
** 50001061	HEPARIN SODIUM INJECTION 10U/ML 30ML
** 50005803	HEPARIN SODIUM INJECTION 100U/ML 1ML
** 50003813	HEPARIN SODIUM INJECTION 100U/ML 2ML
** 50005823	HEPARIN SODIUM INJECTION 100U/ML 10ML
** 50005833	HEPARIN SODIUM INJECTION 100U/ML 30ML
** 50001087	HEPARIN SODIUM INJECTION 1000U/ML 1ML
** 50001089	HEPARIN SODIUM INJECTION 1000U/ML 2ML
** 50003450	HEPARIN SODIUM INJECTION 1000U/ML 10ML VIAL
** 50003451	HEPARIN SODIUM INJECTION 1000U/ML 30ML VIAL
** 50003443	HEPARIN SODIUM INJECTION 5000U/ML 1ML AMP
** 50003445	HEPARIN SODIUM INJECTION 5000U/ML 10ML VIAL
** 50003447	HEPARIN SODIUM INJECTION 10,000U/ML 1ML AMP
** 50003449	HEPARIN SODIUM INJECTION 10,000U/ML 4ML VIAL
** 50003502	HEPARIN SODIUM INJECTION 10,000U/ML 5ML VIAL
** 50003592	HEPARIN SODIUM INJECTION 10,000U/ML 10ML VIAL
** 50003452	HEPARIN SODIUM INJECTION 20,000U/ML 1ML AMP
** 50003587	HEPARIN SODIUM INJECTION 20,000U/ML 2ML VIAL
** 50003454	HEPARIN SODIUM INJECTION 20,000U/ML 5ML VIAL
** 50003455	HEPARIN SODIUM INJECTION 40,000U/ML 2ML VIAL
** 50001603	WARFARIN SODIUM TABLET 1.0MG
** 50001615	WARFARIN SODIUM TAB 2.0MG
** 50001617	WARFARIN SODIUM TAB 2.5MG
** 50001619	WARFARIN SODIUM TAB 5.0MG
** 50001621	WARFARIN SODIUM TAB 7.5MG
** 50001627	WARFARIN SODIUM TAB 10.0MG

(Source: Emergency amendment at 14 Ill. Reg. 12278,
effective July 15, 1990, for a maximum of 150 days)

SECTION 141.1200 CARDIOVASCULAR: ANTIANGINAL

EMERGENCY

Item Number	Drug Name and Strength
** 00332437	CARDENE CAPSULE 20MG
** 00332438	CARDENE CAPSULE 30MG
** 00810166	CARDILATE TABLET ORAL/SUBLING 5MG
** 00810168	CARDILATE TABLET ORAL/SUBLING 10MG
** 00881777	CARDIZEM SR CAPSULE 60MG
** 00881778	CARDIZEM SR CAPSULE 90MG

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.1200 CARDIOVASCULAR: ANTIANGINAL (Cont'd)
EMERGENCY

Item Number	Drug Name and Strength
** 00881779	CARDIZEM SR CAPSULE 120MG
** 00881771	CARDIZEM TABLET 30MG
** 00881772	CARDIZEM TABLET 60MG
** 00881791	CARDIZEM TABLET 90MG
** 00881792	CARDIZEM TABLET 120MG
** 50003265	ISOSORBIDE DINITRATE TAB 2.5MG SUBLINGUAL
** 50003267	ISOSORBIDE DINITRATE TAB 5MG ORAL
** 50003281	ISOSORBIDE DINITRATE TAB 5MG SUBLINGUAL
** 50003280	ISOSORBIDE DINITRATE TAB 10MG ORAL
** 50003278	ISOSORBIDE DINITRATE TAB 10MG SUBLINGUAL
** 50003285	ISOSORBIDE DINITRATE TAB 20MG ORAL
** 50003284	ISOSORBIDE DINITRATE TAB/CAP 30MG ORAL
** 50003270	ISOSORBIDE DINITRATE TAB/CAP 40MG ORAL
** 50003282	ISOSORBIDE DINITRATE TAB/CAP 40MG SA
** 50001865	NIFEDIPINE CAPSULE 10MG
** 50002527	NIFEDIPINE CAPSULE 20MG
** 50002200	NIFEDIPINE TABLET SUSTAINED RELEASE 30MG
** 50002202	NIFEDIPINE TABLET SUSTAINED RELEASE 60MG
** 50002204	NIFEDIPINE TABLET SUSTAINED RELEASE 90MG
** 00262855	NIMOTOP CAPSULE 30MG
** 50005521	NITROGLYCERIN AEROSOL SPRAY 0.4MG/DOSE 13.8GM
** 5000746	UNIT 200 DOSES/UNIT
** 5000748	NITROGLYCERIN OINTMENT 20GM
** 5000750	NITROGLYCERIN OINTMENT 30GM
** 50002040	NITROGLYCERIN OINTMENT 60GM
** 50002035	NITROGLYCERIN PATCH 3.3CM2 2.5MG/24HR
** 50002042	NITROGLYCERIN PATCH 5CM2 2.5MG/24HR
** 50002133	NITROGLYCERIN PATCH 6.7CM2 5MG/24HR
** 50002034	NITROGLYCERIN PATCH 8CM2 5MG/24HR
** 50002033	NITROGLYCERIN PATCH 10CM2 5MG/24HR
** 50002048	NITROGLYCERIN PATCH 13.3CM2 10MG/24HR
** 50002138	NITROGLYCERIN PATCH 15CM2 7.5MG/24HR
** 50002134	NITROGLYCERIN PATCH 16CM2 5MG/24HR
** 50002036	NITROGLYCERIN PATCH 16CM2 10MG/24HR
** 50002049	NITROGLYCERIN PATCH 20CM2 10MG/24HR
** 50005135	NITROGLYCERIN PATCH 20.0CM2 15MG/24HR
** 50002140	NITROGLYCERIN PATCH 30CM2 15MG/24HR
** 50002140	NITROGLYCERIN PATCH 32CM2 10MG/24HR
** 50000770	NITROGLYCERIN SR TAB/CAP 1.3MG
** 50000772	NITROGLYCERIN SR TAB/CAP 2.5MG 60's
** 50000774	NITROGLYCERIN SR TAB/CAP 2.5MG 100's
** 50000776	NITROGLYCERIN SR TAB/CAP 2.6MG

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.1200 CARDIOVASCULAR: ANTIANGINAL (Cont'd)
EMERGENCY

Item Number	Drug Name and Strength
** 50000778	NITROGLYCERIN SR TAB/CAP 6.5MG 60's
** 50000780	NITROGLYCERIN SR TAB/CAP 6.5MG 100's
** 50000782	NITROGLYCERIN SR TAB/CAP 9.0MG 60's
** 50000784	NITROGLYCERIN SR TAB/CAP 9.0MG 100's
** 50000732	NITROGLYCERIN SUBLINGUAL TAB 0.15MG 25's
** 50000730	NITROGLYCERIN SUBLINGUAL TAB 0.15MG 100's
** 50000736	NITROGLYCERIN SUBLINGUAL TAB 0.3MG 25's
** 50000734	NITROGLYCERIN SUBLINGUAL TAB 0.3MG 100's
** 50000740	NITROGLYCERIN SUBLINGUAL TAB 0.4MG 25's
** 50000738	NITROGLYCERIN SUBLINGUAL TAB 0.4MG 100's
** 50000744	NITROGLYCERIN SUBLINGUAL TAB 0.6MG 25's
** 50000742	NITROGLYCERIN SUBLINGUAL TAB 0.6MG 100's
** 50003874	NITROGLYCERIN TRANSMUCOSAL CONTROLLED RELEASE TABLET 1MG
** 50003876	NITROGLYCERIN TRANSMUCOSAL CONTROLLED RELEASE TABLET 2MG
** 50003878	NITROGLYCERIN TRANSMUCOSAL CONTROLLED RELEASE TABLET 3MG
** 50004218	VERAPAMIL HCL TABLET 40MG
** 50004220	VERAPAMIL HCL TABLET 80MG
** 50004222	VERAPAMIL HCL TABLET 120MG
** 50004226	VERAPAMIL HCL TABLET SUST RELEASE 180MG
** 50004224	VERAPAMIL HCL TABLET SUST RELEASE 240MG

(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)

SECTION 141.1640 EYE/EAR/NOSE/THROAT: ANTIBIOTICS

EMERGENCY

Item Number	Drug Name and Strength
** 00054724	AUREOMYCIN OPTH OINT 1/80Z
** 50000008	BACITRACIN OPHTHALMIC OINTMENT
** 50000105	BACITRACIN/NEOMYCIN/POLYMYXIN B OPTH OINT 400U/GM-3.5MG BASE/GM-10000U/GM
** 50000122	CHLORAMPHENICOL OPHTHALMIC OINTMENT 1.0%
** 50000120	CHLORAMPHENICOL OPHTHALMIC SOLUTION 0.5%
** 50000119	15ML BOTTLE CHLORAMPHENICOL OPHTHALMIC SOLUTION 0.5%
** 50000123	7.5ML BOTTLE CHLORAMPHENICOL OTIC SOLUTION 0.5% 15ML
** 50000121	CHLORAMPHENICOL POWDER FOR OPHT SOLUTION

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.1640 EYE/EAR/NOSE/THROAT: ANTIBIOTICS (Cont'd)
EMERGENCY

Item Number	Drug Name and Strength
** 00713082	CHLOROMYXIN OPHTHALMIC OINT 3.5GM
** 50002612	ERYTHROMYCIN OPHT OINT 1/8OZ TUBE
** 50000492	GENTAMICIN SULFATE OPHTHALMIC OINTMENT 3MG BASE/GM
** 50000490	GENTAMICIN SULFATE OPHTHALMIC SOLUTION 0.3% 5ML
** 50000520	GRAMICIDIN; NEOMYCIN; POLYMYXIN OPHT SOL 0.025MG/ML; 1.75MG BASE/ML; 5000U/ML
** 00090542	MYCITRACIN OPHT OINTMENT 3.5GM
** 50001624	NEOMYCIN SULFATE 3.5MG/ML; POLYMYXIN B SULFATE 16,250U/ML OPHT SOLN 5ML
** 60008020	OPHTHALMIC ANTIBIOTIC-OINTMENT-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 60008019	OPHTHALMIC ANTIBIOTIC-SOLUTION/SUSP-NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 00810797	POLYSPORIN OPHT OINT 1/8OZ TUBE
** 00237824	POLYTRIM OPHTHALMIC SOLUTION 10ML
** 00650624	STATROL OPHT OINT 3.5GM TUBE
** 00690801	TERRAMYCIN OPHT OINT C POLYMYX 1/8OZ
** 00690802	TERRAMYCIN OTIC OINT C POLYMYX 1/8OZ
** 50001232	TETRACYCLINE HCL OPHTHALMIC SUSPENSION 1.0% 4ML
** 50001230	TETRACYCLINE HCL OPHTHALMIC OINT 1.0%
** 50001623	TOBRAMYCIN OPHTHALMIC OINTMENT 0.3% 3.5GM TUBE
** 50001622	TOBRAMYCIN OPHTHALMIC SOLUTION 3MG/ML 5ML BOTTLE

(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)

SECTION 141.1880 EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA
EMERGENCY

Item Number	Drug Name and Strength
** 01190469	BETAGAN OPHTHALMIC SOLUTION 0.25% 5ML
** 01191469	BETAGAN OPHTHALMIC SOLUTION 0.25% 10ML
** 00230252	BETAGAN OPHTHALMIC SOLUTION 0.5% 5ML
** 00231252	BETAGAN OPHTHALMIC SOLUTION 0.5% 10ML
** 00232252	BETAGAN OPHTHALMIC SOLUTION 0.5% 15ML
** 00652246	BETOPTIC S OPHTHALMIC SOLN 0.25% 2.5ML
** 00650246	BETOPTIC S OPHTHALMIC SOLN 0.25% 5.0ML

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.1880 EYE/EAR/NOSE/THROAT: MIOTICS/GLAUCOMA
EMERGENCY (Cont'd)

Item Number	Drug Name and Strength
** 00651246	BETOPTIC S OPHTHALMIC SOLN 0.25% 15.0ML
** 00651245	BETOPTIC OPHTHALMIC SOLUTION 0.5% 2.5ML
** 00650245	BETOPTIC OPHTHALMIC SOLUTION 0.5% 5ML
** 00650255	BETOPTIC OPHTHALMIC SOLUTION 0.5% 10ML
** 00652245	BETOPTIC OPHTHALMIC SOLUTION 0.5% 15ML
50000110	CARBACHOL OPHTHALMIC SOLUTION 0.75% 15ML
50000111	CARBACHOL OPHTHALMIC SOLUTION 1.5% 15ML
50000112	CARBACHOL OPHTHALMIC SOLUTION 2.25% 15ML
50000113	CARBACHOL OPHTHALMIC SOLUTION 3.0% 15ML
50000270	ECHOTHIOPHATE IODIDE 1.5MG (0.03%) 5ML
50000271	ECHOTHIOPHATE IODIDE 3.0MG (0.06%) 5ML
50000272	ECHOTHIOPHATE IODIDE 6.25MG (0.125%) 5ML
50000273	ECHOTHIOPHATE IODIDE 12.5MG (0.25%) 5ML
50000290	EPINEPHRINE (AS BITARTRATE) OPHTHALMIC SOLUTION 0.5% (AS 1.0% BITARTRATE) 15ML
50000292	EPINEPHRINE (AS BITARTRATE) OPHTHALMIC SOLUTION 1.0% (AS 2.0% BITARTRATE) 7.5ML
50000294	EPINEPHRINE (AS BITARTRATE) OPHTHALMIC SOLUTION 1.0% (AS 2.0% BITARTRATE) 15ML
50000300	EPINEPHRINE (AS BORATE) OPHTHALMIC SOLUTION 0.25% 7.5ML
50000302	EPINEPHRINE (AS BORATE) OPHTHALMIC SOLUTION 0.5% 7.5ML
50000304	EPINEPHRINE (AS BORATE) OPHTHALMIC SOLUTION 1.0% 7.5ML
50000310	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 0.25% 15ML
50000314	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 0.5% 10ML
50000316	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 0.5% 15ML
50000320	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 1.0% 10ML
50000322	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 1.0% 15ML
50000326	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 2.0% 10ML
50000328	EPINEPHRINE (AS HCL) OPHTHALMIC SOLUTION 2.0% 15ML
50003042	GLYCERIN 50% 180ML
50003040	GLYCERIN 75% 120ML
17314406	OCUSERT PILO-20 PACKAGE OF 8
17314408	OCUSERT PILO-40 PACKAGE OF 8

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.2960 HORMONES/AGENTS AFFECTING MECHANISMS: ORAL
EMERGENCY CONTRACEPTIVES (Cont'd)

Item Number	Drug Name and Strength
** 00140221	NORETHIN TABLET 1/35E-21
** 00332102	NORINYL TABLET 1 PLUS 80-21 DAY
** 04298723	NORINYL TABLET 1 PLUS 80-21 DAY - REFILL
** 00333102	NORINYL TABLET 1 PLUS 80-28 DAY
** 04298724	NORINYL TABLET 1 PLUS 80-28 DAY - REFILL
** 00332103	NORINYL TABLET 2MG
** 04298720	NORINYL TABLET 2MG - REFILL
** 00710905	NORLESTRIN FE 1/50
** 07100905	NORLESTRIN FE 1/50 - REFILL
** 00710907	NORLESTRIN FE 2.5/50
** 07100907	NORLESTRIN FE 2.5/50 - REFILL
** 00710904	NORLESTRIN 21 1/50
** 07100904	NORLESTRIN 21 1/50 - REFILL
** 00710901	NORLESTRIN 21 2.5/50
** 07100901	NORLESTRIN 21 2.5/50 - REFILL
** 00710903	NORLESTRIN 28 1/50
** 07100903	NORLESTRIN 28 1/50 - REFILL
** 60009903	ORAL CONTRACEPTIVES - PRODUCTS NOT OTHERWISE LISTED - LIST NAME AND MFG
** 00621900	ORTHO-CYCLEN TABLET 21 DAY
** 00621901	ORTHO-CYCLEN TABLET 28 DAY
** 00621350	ORTHO-NOVUM 2MG TAB
** 00621390	ORTHO-NOVUM 1/80 TAB 21'S
** 00621391	ORTHO-NOVUM 1/80 TAB 28'S
** 01071770	ORTHO-NOVUM 10/11 TAB 21'S
** 00621770	ORTHO-NOVUM 10/11 TAB 21'S - REFILL
** 01071771	ORTHO-NOVUM 10/11 TAB 28'S
** 00621771	ORTHO-NOVUM 10/11 TAB 28'S - REFILL
** 00621370	ORTHO-NOVUM 10MG TAB
** 01071780	ORTHO-NOVUM 7/7/7 21'S
** 00621780	ORTHO-NOVUM 7/7/7 21'S - REFILL
** 01071781	ORTHO-NOVUM 7/7/7 28'S
** 00621781	ORTHO-NOVUM 7/7/7 28'S - REFILL
** 00870583	OVCON-35 TABLET (21)
** 00870578	OVCON-35 TABLET (28)
** 00870584	OVCON-50 TABLET (21)
** 00870579	OVCON-50 TABLET (28)
** 00800056	OVRAI TABLET 21'S
** 00810056	OVRAI TABLET 21'S - 3 PACK
** 00802511	OVRAI TABLET 28'S
** 00800062	OVRETTE TABLET 28'S
** 00141401	OVULEN-21 TABLET
** 00143401	OVULEN-21 TABLET - REFILL

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.2960 HORMONES/AGENTS AFFECTING MECHANISMS: ORAL
EMERGENCY CONTRACEPTIVES (Cont'd)

Item Number	Drug Name and Strength
** 00142401	OVULEN-28 TABLET
** 00140421	OVULEN-28 TABLET - REFILL
** 04190430	TRI-LEVEN TABLETS 21'S
** 04190431	TRI-LEVEN TABLETS 28'S
** 00333201	TRI-NORINYL TABLETS 21'S
** 04298719	TRI-NORINYL TABLETS 21'S - REFILL
** 00333211	TRI-NORINYL TABLETS 28'S
** 04298718	TRI-NORINYL TABLETS 28'S - REFILL
** 00082535	TRI-PHASIL TABLETS 21'S
** 00083535	TRI-PHASIL TABLETS 21'S - REFILL
** 00082536	TRI-PHASIL TABLETS 28'S
** 00083536	TRI-PHASIL TABLETS 28'S - REFILL

(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)

SECTION 141.3200 IMMUNOSUPPRESSIVES

EMERGENCY

Item Number	Drug Name and Strength
** 50003547	CYCLOSPORINE CAPSULE 25MG
** 50003549	CYCLOSPORINE CAPSULE 100MG
** 50003535	CYCLOSPORINE ORAL SOLUTION 100MG/ML 50ML
** 50003540	CYCLOSPORINE INJECTION 50MG/ML 5ML AMP
** 00810598	IMURAN INJECTION 100MG/20ML VIAL
** 00810597	IMURAN TABLET 50MG
** 00810596	IMURAN TABLET 25MG
** 00627102	ORTHOCLONE OKT #3 KIT INJECTION 1MG/ML

(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)

SECTION 141.3520 ONCOLYTIC/ANTINEOPLASTIC: HORMONES

EMERGENCY

Item Number	Drug Name and Strength
** 50003277	AMINOGLUTETHIMIDE TABLET 250MG
** 00090248	DEPO-PROVERA INJECTION 100MG/ML 5ML VIAL
** 00092626	DEPO-PROVERA INJECTION 400MG/ML 1ML SYRINGE
** 00091626	DEPO-PROVERA INJECTION 400MG/ML 2.5ML VIAL
** 00090626	DEPO-PROVERA INJECTION 400MG/ML-10ML VIAL

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.3520 ONCOLYTIC/ANTINEOPLASTIC: HORMONES (Cont'd)
EMERGENCY

Item Number	Drug Name and Strength
** 00021453	DROLBAN INJECTION 50MG/ML 10ML VIAL
** 00040132	EMCYT CAPSULE 140MG
** 00460451	ESTRADURIN INJ 40MG W/DILUENT
** 00850525	EULEXIN CAPSULE 125MG
** 03003629	LUPRON DEPOT INJECTION 7.5 MG/VIAL KIT
** 03003626	LUPRON INJECTION 5MG/ML 2.8ML VIAL
** 03004626	LUPRON INJECTION 5MG/ML 4 WEEK KIT
** 50000595	MEGESTROL ACETATE TABLET 20MG
** 50000596	MEGESTROL ACETATE TABLET 40MG
** 00380600	NOLVADEX TABLET 10MG
** 00268131	STILPHOSTROL INJECTION 0.25GM/5CC AMP
** 00268132	STILPHOSTROL TABLET 50MG
** 00030691	TESLAC INJECTION 100MG/ML 5ML VIAL
** 00030690	TESLAC TABLET 50MG
** 00030689	TESLAC TABLET 250MG
** 03100960	ZOLADEX IMPLANT 3.6MG

(Source: Emergency amendment at J4 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)

SECTION 141.3560 ONCOLYTIC/ANTINEOPLASTIC: MISCELLANEOUS
EMERGENCY

Item Number	Drug Name and Strength
** 60009946	ANTINEOPLASTIC ORAL PRODUCTS - NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 60009947	ANTINEOPLASTIC PARENTERAL PRODUCTS - NOT OTHERWISE LISTED-IF LAW REQUIRES RX
** 50005349	DACARBAZINE INJECTION 100MG VIAL
** 50005351	DACARBAZINE INJECTION 200MG VIAL
** 00064612	ELSPAR INJECTION 10,000IU/10ML VIAL
** 00030830	HYDREA CAPSULE 500MG
** 00850647	INTRON A INJECTION 3 MILLION IU VIAL
** 00850120	INTRON A INJECTION 5 MILLION IU VIAL
** 00850571	INTRON A INJECTION 10 MILLION IU VIAL
** 00850285	INTRON A INJECTION 25 MILLION IU VIAL
** 00850539	INTRON A INJECTION 50 MILLION IU VIAL
** 00054522	LEUCOVORIN CALCIUM INJECTION 3MG/1ML AMP
** 50005550	LEUCOVORIN CALCIUM INJECTION 5MG/ML 1ML
** 50005555	LEUCOVORIN CALCIUM INJECTION 5MG/ML 5ML
** 00054527	LEUCOVORIN CALCIUM INJECTION 50MG VIAL
** 50001714	LEUCOVORIN CALCIUM INJECTION 100MG VIAL

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.3560 ONCOLYTIC/ANTINEOPLASTIC: MISCELLANEOUS
 (Cont'd)
EMERGENCY

Item Number	Drug Name and Strength
** 50001718	LEUCOVORIN CALCIUM INJECTION 350MG VIAL
** 50005540	LEUCOVORIN CALCIUM TABLET 5MG
** 50005834	LEUCOVORIN CALCIUM TABLET 15MG
** 50005545	LEUCOVORIN CALCIUM TABLET 25MG
** 03268213	LYSODREN TABLET 500MG
** 00040053	MATULANE CAPSULE 50MG
** 00041933	ROFERON A INJECTION 3 MILLION IU/0.5ML POWDER VIAL WITH DILUENT
** 00041988	ROFERON A INJECTION 3 MILLION IU/0.5ML 3ML VIAL
** 00041987	ROFERON A INJECTION 3 MILLION IU/ML 1ML VIAL
** 00042005	ROFERON-A INJECTION 36 MILLION IU/ML 1ML
** 00153091	VEPESID CAPSULE 50MG
** 00153095	VEPESID INJECTION 20MG/ML 5ML VIAL
** 50003601	VINBLASTINE SULFATE 10MG/10ML VIAL
** 50003603	VINCRISTINE SULFATE 1MG/ML 1ML
** 50003605	VINCRISTINE SULFATE 1MG/ML 2ML
** 50003607	VINCRISTINE SULFATE 1MG/ML 5ML

(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)

SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC
EMERGENCY

Item Number	Drug Name and Strength
** 50005940	CHLORPROMAZINE CAPSULE SR 30MG
** 50005959	CHLORPROMAZINE CAPSULE SR 75MG
** 50005960	CHLORPROMAZINE CAPSULE SR 150MG
** 50005961	CHLORPROMAZINE CAPSULE SR 200MG
** 50005962	CHLORPROMAZINE CAPSULE SR 300MG
** 50006010	CHLORPROMAZINE CONCENTRATE 30MG/ML 120ML
** 50006012	CHLORPROMAZINE CONCENTRATE 100MG/ML 240ML
** 50000065	CHLORPROMAZINE INJECTION 25MG/ML 10ML VIAL
** 50000066	CHLORPROMAZINE INJECTION 25MG/1ML AMP
** 50000068	CHLORPROMAZINE INJECTION 50MG/2ML AMP
** 50005991	CHLORPROMAZINE SUPPOSITORY 25MG
** 50006009	CHLORPROMAZINE SUPPOSITORY 100MG
** 50005983	CHLORPROMAZINE SYRUP 10MG/5ML 120ML
** 50005908	CHLORPROMAZINE TABLET 10MG
** 50005916	CHLORPROMAZINE TABLET 25MG
** 50005924	CHLORPROMAZINE TABLET 50MG

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (Cont'd)
EMERGENCY

Item Number	Drug Name and Strength
** 50005932	CHLORPROMAZINE TABLET 100MG
** 50005934	CHLORPROMAZINE TABLET 200MG
** 50003437	FLUPHENAZINE DECANOATE INJ 25MG/ML 1ML S
** 50003438	FLUPHENAZINE DECANOATE INJ 25MG/ML 5ML V
** 50003439	FLUPHENAZINE ENANTHATE INJ 25MG/ML 1ML S
** 50003440	FLUPHENAZINE ENANTHATE INJ 25MG/ML 5ML V
** 50002778	FLUPHENAZINE HYDROCHLORIDE CONC 5MG/CC
** 50002777	FLUPHENAZINE HYDROCHLORIDE ELIXIR .5MG/CC
** 50002776	FLUPHENAZINE HYDROCHLORIDE TAB RA 1MG
** 50002780	FLUPHENAZINE HYDROCHLORIDE TAB 0.25MG
** 50002781	FLUPHENAZINE HYDROCHLORIDE TAB 1.00MG
** 50002782	FLUPHENAZINE HYDROCHLORIDE TAB 2.50MG
** 50002783	FLUPHENAZINE HYDROCHLORIDE TAB 5.00MG
** 50002784	FLUPHENAZINE HYDROCHLORIDE TAB-10.00MG
** 50003441	FLUPHENAZINE-HCL INJ 2.5MG/ML 10ML VIAL
** 50003799	HALOPERIDOL DECANOATE INJ 70.52MG/ML (50MG/ML HALOPERIDOL) 1ML AMP/VIAL
** 50003803	HALOPERIDOL DECANOATE INJ 70.52MG/ML (50MG/ML HALOPERIDOL) 5ML VIAL
** 50001409	HALOPERIDOL DECANOATE INJ 141.04MG/ML (100MG/ML HALOPERIDOL) 1ML AMP
** 50001408	HALOPERIDOL DECANOATE INJ 141.04MG/ML (100MG/ML HALOPERIDOL) 5ML VIAL
** 50004805	HALOPERIDOL INJECTION 5MG/ML 1ML
** 50004807	HALOPERIDOL INJECTION 5ML/ML 10ML
** 50004801	HALOPERIDOL LACTATE ORAL CONCENTRATE 2MG/ML 15ML
** 50004803	HALOPERIDOL LACTATE ORAL CONCENTRATE 2MG/ML 240ML
** 50004809	HALOPERIDOL TABLET 0.5MG
** 50004811	HALOPERIDOL TABLET 1.0MG
** 50004813	HALOPERIDOL TABLET 2.0MG
** 50004815	HALOPERIDOL TABLET 5.0MG
** 50004817	HALOPERIDOL TABLET 10.0MG
** 50004819	HALOPERIDOL TABLET 20.0MG
** 00055395	LOXAPINE HCL INJ IM 1ML AMP 50MG/ML
** 00056385	LOXAPINE HCL INJ IM 10ML VIAL 50MG/ML
** 50002357	LOXAPINE SUCCINATE 5MG
** 50002358	LOXAPINE SUCCINATE 10MG
** 50002360	LOXAPINE SUCCINATE 25MG
** 50002362	LOXAPINE SUCCINATE 50MG
** 50002366	LOXAPINE SUCCINATE CONCENTRATE 25MG/ML
** 50003128	MOLINDONE HCL 5MG TAB/CAP

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (Cont'd)
EMERGENCY

Item Number	Drug Name and Strength
** 50003130	MOLINDONE HCL 10MG TAB/CAP
** 50003132	MOLINDONE HCL 25MG TAB/CAP
** 50003134	MOLINDONE HCL 50MG TAB/CAP
** 50003136	MOLINDONE HCL 100MG TAB/CAP
** 50002009	MOLINDONE HCL CONCENTRATE 20MG/ML
** 00450352	ORAP TABLET 2MG
** 50003170	PERPHENAZINE CONCENTRATE 16MG/5ML 118ML
** 50003172	PERPHENAZINE INJECTION 5MG/ML 1ML
** 50003176	PERPHENAZINE TABLET 2MG
** 50003178	PERPHENAZINE TABLET 4MG
** 50003180	PERPHENAZINE TABLET 8MG
** 50003174	PERPHENAZINE TABLET SUSTAINED ACTION 8MG
** 50003182	PERPHENAZINE TABLET 16MG
** 50007347	PROCHLORPERAZINE EDIS INJ 5MG/ML 10ML VIAL
** 50007348	PROCHLORPERAZINE EDIS INJ 10MG/2ML AMP
** 50007354	PROCHLORPERAZINE EDISYLATE CONC 10MG/ML
** 50007350	PROCHLORPERAZINE EDISYLATE SYR 5MG/5ML
** 50007351	PROCHLORPERAZINE MALEATE TAB/CAP 5MG
** 50007352	PROCHLORPERAZINE MALEATE TAB/CAP 10MG
** 50007353	PROCHLORPERAZINE MALEATE TAB/CAP 25MG
** 50007358	PROCHLORPERAZINE MALEATE TR CAP/TAB 10MG
** 50007359	PROCHLORPERAZINE MALEATE TR CAP/TAB 15MG
** 50007360	PROCHLORPERAZINE MALEATE TR CAP/TAB 30MG
** 50007361	PROCHLORPERAZINE MALEATE TR CAP/TAB 75MG
** 00080251	PROKETAZINE TABLET 12.5MG
** 00080252	PROKETAZINE TABLET 25.0MG
** 00080253	PROKETAZINE TABLET 50.0MG
** 50007371	PROMAZINE HCL CONC 30MG/ML 120ML
** 50007373	PROMAZINE HCL INJ 25MG/ML - 10ML VIAL
** 50007374	PROMAZINE HCL INJ 25MG/1ML SYRINGE
** 50007375	PROMAZINE HCL INJ 50MG/ML - 2ML VIAL
** 50007376	PROMAZINE HCL INJ 50MG/ML - 10ML VIAL
** 50007377	PROMAZINE HCL INJ 50MG/1ML SYRINGE
** 50007378	PROMAZINE HCL INJ 100MG/2ML SYRINGE
** 50007379	PROMAZINE HCL SYRUP 10MG/5ML 120ML
** 50007380	PROMAZINE HCL TAB/CAP 10MG
** 50007381	PROMAZINE HCL TAB/CAP 25MG
** 50007382	PROMAZINE HCL TAB/CAP 50MG
** 50007383	PROMAZINE HCL TAB/CAP 100MG
** 05970025	SERENTIL CONCENTRATE 25MG/CC
** 05970027	SERENTIL INJECTION 25MG/ML 1ML AMP
** 05970020	SERENTIL TABLET 10MG
** 05970021	SERENTIL TABLET 25MG

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (Cont'd)
EMERGENCY

Item Number	Drug Name and Strength
** 05970022	SERENTIL TABLET 50MG
** 05970023	SERENTIL TABLET 100MG
** 00041010	TARACTAN CONCENTRATE 100MG/5CC
** 00041926	TARACTAN INJECTION 25MG/2ML AMP
** 00040045	TARACTAN TABLET 10MG
** 00040046	TARACTAN TABLET 25MG
** 00040047	TARACTAN TABLET 50MG
** 00040049	TARACTAN TABLET 100MG
** 50006531	THIORIDAZINE HCL CONCENTRATE 30MG/ML
** 50006533	THIORIDAZINE HCL CONCENTRATE 100MG/ML
** 50006535	THIORIDAZINE HCL SUSPENSION 25MG/5ML
** 50006537	THIORIDAZINE HCL SUSPENSION 100MG/5ML
** 50006541	THIORIDAZINE HCL TABLET 10MG
** 50006543	THIORIDAZINE HCL TABLET 15MG
** 50006545	THIORIDAZINE HCL TABLET 25MG
** 50006547	THIORIDAZINE HCL TABLET 50MG
** 50006549	THIORIDAZINE HCL TABLET 100MG
** 50006551	THIORIDAZINE HCL TABLET 150MG
** 50006553	THIORIDAZINE HCL TABLET 200MG
** 50006040	THIOXIXENE CAPSULE 1MG
** 50006042	THIOXIXENE CAPSULE 2MG
** 50006044	THIOXIXENE CAPSULE 5MG
** 50006046	THIOXIXENE CAPSULE 10MG
** 50006048	THIOXIXENE CAPSULE 20MG
** 50006035	THIOXIXENE HCL CONCENTRATE 5MG/ML 30ML
** 50006037	THIOXIXENE HCL CONCENTRATE 5MG/ML 120ML
** 50006027	THIOXIXENE HCL INJECTION 2MG/ML 2ML VIAL
** 50006029	THIOXIXENE HCL INJECTION 5MG/ML 2ML VIAL
** 50006028	THIOXIXENE HCL INJECTION 5MG/ML 2ML VIAL
** 00830968	TINDAL TABLET 20MG
** 50001262	TRIFLUOPERAZINE HCL CONC 10MG/ML
** 50001264	TRIFLUOPERAZINE HCL INJECTION 2MG/ML
** 50001266	TRIFLUOPERAZINE HCL TABLET 1MG
** 50001268	TRIFLUOPERAZINE HCL TABLET 2MG
** 50001270	TRIFLUOPERAZINE HCL TABLET 5MG
** 50001272	TRIFLUOPERAZINE HCL TABLET 10MG
** 00031987	VESPRIN INJECTION 10MG/ML 1ML SYRINGE
** 00030987	VESPRIN INJECTION 10MG/ML 10ML VIAL
** 00030920	VESPRIN INJECTION 20MG/ML 1ML AMP
** 00030935	VESPRIN SUSPENSION 50MG/5CC 120CC
** 00030921	VESPRIN TABLET 10MG
** 00030922	VESPRIN TABLET 25MG

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.3920 PSYCHOTHERAPEUTIC: ANTIPSYCHOTIC (Cont'd)
EMERGENCY

Item Number	Drug Name and Strength
** 00030923	VESPRIN TABLET 50MG
(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)	
SECTION 141.3960 PSYCHOTHERAPEUTIC: MISCELLANEOUS EMERGENCY	
Item Number	Drug Name and Strength
** 50004010	AMITRIPTYLINE HCL 10MG; PERPHENAZINE 2MG TABLET
** 50004022	AMITRIPTYLINE HCL 10MG; PERPHENAZINE 4MG TABLET
** 50004020	AMITRIPTYLINE HCL 25MG; PERPHENAZINE 2MG TABLET
** 50004024	AMITRIPTYLINE HCL 25MG; PERPHENAZINE 4MG TABLET
** 50004026	AMITRIPTYLINE HCL 50MG; PERPHENAZINE 4MG TABLET
** 00830115	ANAFRANIL CAPSULE 25MG
** 00830116	ANAFRANIL CAPSULE 50MG
** 00830117	ANAFRANIL CAPSULE 100MG
00746088	CYLERT CHEWABLE TABLET 37.5MG
00746025	CYLERT TABLET 18.75MG
00746057	CYLERT TABLET 37.50MG
00746073	CYLERT TABLET 75.00MG
50003009	ERGOLOID MESYLATES ORAL CAPSULE 1.0MG
50003008	ERGOLOID MESYLATES ORAL TABLET 1.0MG
50003004	ERGOLOID MESYLATES SUBLINGUAL TABLET 0.5MG
50003006	ERGOLOID MESYLATES SUBLINGUAL TABLET 1.0MG
50003159	METHYLPHENIDATE HCL TABLET 5MG
50003161	METHYLPHENIDATE HCL TABLET 10MG
50003163	METHYLPHENIDATE HCL TABLET 20MG
50003165	METHYLPHENIDATE HCL TABLET CONTROLLED RELEASE 20MG

(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.4040 RESPIRATORY ALLERGIC: ANTI-ASTHMATIC

EMERGENCY

Item Number	Drug Name and Strength
** 03693007	AEROBID AEROSOL 7GM CANISTER 250MCG/ACTUATION 100 DOSES/INHALER
** 50000614	ALBUTEROL SULFATE INHALER 17GM
** 50000616	ALBUTEROL SULFATE INHALER 17GM - REFILL
** 50001981	ALBUTEROL SULFATE SOLUTION FOR INHALATION 0.5%
** 40001095	ALBUTEROL SULFATE SYRUP 2MG/5ML
** 50002323	ALBUTEROL SULFATE TABLET SR 4MG
** 50002320	ALBUTEROL SULFATE TABLET 2MG
** 50002322	ALBUTEROL SULFATE TABLET 4MG
** 50000023	AMINOPHYLLINE IV INJECTION 500MG/20ML AMP
** 50002414	AMINOPHYLLINE ORAL SOLUTION 315MG/15ML
** 50000108	AMINOPHYLLINE TABLET 100MG
** 50000116	AMINOPHYLLINE TABLET 200MG
** 50000117	AMINOPHYLLINE TABLET SR 225MG
** 05970082	ATROVENT INHALATION AEROSOL 14GM
** 50006490	17MCG/ACTUATION 200 DOSES/UNIT
** 50005692	BECLOMETHASONE DIPROPIONATE AEROSOL INHALER 42MCG/ ACTUATION 16.8GM UNIT ORAL
** 50006488	BECLOMETHASONE DIPROPIONATE AEROSOL INH 42MCG/ACTUATION 16.8GM UNIT ORAL REFILL
** 50006486	BECLOMETHASONE DIPROPIONATE NASAL INHALER 42MCG/ACTUATION 16.8GM UNIT
** 50002519	BECLOMETHASONE DIPROPIONATE NASAL SPRAY 0.042% 25ML
** 50002521	CROMOLYN SODIUM AEROSOL INHALER 8.1GM 80MCG/ACTUATION (112 SPRAYS/UNIT)
** 50001003	CROMOLYN SODIUM AEROSOL INHALER 14.2GM 80MCG/ACTUATION (200 SPRAYS/UNIT)
** 50001005	CROMOLYN SODIUM CAPSULE 20MG
** 50001007	CROMOLYN SODIUM INHALER
** 50001009	CROMOLYN SODIUM NASAL SOLUTION 40MG/ML 13ML BOTTLE WITH SPRAY
** 50001014	CROMOLYN SODIUM NASAL SOLUTION 40MG/ML 40MG/ML 13ML REFILL BOTTLE
** 50001004	CROMOLYN SODIUM NASAL SOLUTION 40MG/ML 26ML BOTTLE WITH SPRAY
** 50004150	CROMOLYN SODIUM NEBULIZER SOLUTION 20MG/2ML AMP
** 50004152	ISOETHARINE HYDROCHLORIDE SOLUTION 1.0% 10ML UNIT
** 50004152	ISOETHARINE HYDROCHLORIDE SOLUTION 1.0% 30ML UNIT

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.4040 RESPIRATORY ALLERGIC: ANTI-ASTHMATIC (Cont'd)

EMERGENCY

Item Number	Drug Name and Strength
** 00890790	MAXAIR AEROSOL INHALER COMPLETE 0.2MG/DOSE 300 ACTUATIONS/UNIT 25.6GM
** 50004965	METAPROTERENOL SULF INH SOLN 5.0% 10ML
** 50006032	METAPROTERENOL SULF INH SOLN 5% 30ML
** 50004101	METAPROTERENOL SULF INH 225MG/15ML REFILL
** 50004100	METAPROTERENOL SULF INH 225MG/15ML UNIT
** 50002041	METAPROTERENOL SULFATE INHALATION AEROSOL 650MCG/ACTUATION 200 PUFF COMPLETE UNIT
** 50002043	METAPROTERENOL SULFATE INHALATION AEROSOL 650MCG/ACTUATION 200 PUFF REFILL UNIT
** 50004095	METAPROTERENOL SULFATE SYRUP 10MG/5ML
** 50004099	METAPROTERENOL SULFATE TABLET 10MG
** 50004102	METAPROTERENOL SULFATE TABLET 20MG
** 50006480	TERBUTALINE SULFATE AEROSOL INHALER 0.20MG/ACTUATION 7.5ML UNIT
** 50006482	TERBUTALINE SULFATE AEROSOL INHALER 0.20MG/ACTUATION 7.5ML REFILL
** 50006476	TERBUTALINE SULFATE INJECTION 1.0MG/1ML
** 50006477	TERBUTALINE SULFATE TABLET 2.5MG
** 50006478	TERBUTALINE SULFATE TABLET 5.0MG
** 50007134	THEOPHYLLINE LIQUID 80MG/15ML
** 50007139	THEOPHYLLINE LIQUID 150MG/15ML
** 50007140	THEOPHYLLINE LIQUID 160MG/15ML
** 50007142	THEOPHYLLINE SUSPENSION 100MG/5ML
** 50007146	THEOPHYLLINE ANHYDROUS CAP/TAB 100MG
** 50007150	THEOPHYLLINE ANHYDROUS CAP/TAB 200MG
** 50005689	THEOPHYLLINE ANHYDROUS CAP/TAB 300MG
** 50003702	THEOPHYLLINE ANHYDROUS TD CAPSULE 50MG
** 50003704	THEOPHYLLINE ANHYDROUS TD CAPSULE 60MG
** 50003706	THEOPHYLLINE ANHYDROUS TD CAPSULE 65MG
** 50003708	THEOPHYLLINE ANHYDROUS TD CAPSULE 75MG
** 50003710	THEOPHYLLINE ANHYDROUS TD CAPSULE 100MG
** 50003712	THEOPHYLLINE ANHYDROUS TD CAPSULE 125MG
** 50003714	THEOPHYLLINE ANHYDROUS TD CAPSULE 130MG
** 50003716	THEOPHYLLINE ANHYDROUS TD CAPSULE 200MG
** 50003726	THEOPHYLLINE ANHYDROUS TD CAPSULE 250MG
** 50003718	THEOPHYLLINE ANHYDROUS TD CAPSULE 260MG
** 50003720	THEOPHYLLINE ANHYDROUS TD CAPSULE 300MG
** 50007160	THEOPHYLLINE ANHYDROUS TD TABLET 100MG
** 50007166	THEOPHYLLINE ANHYDROUS TD TABLET 200MG
** 50007168	THEOPHYLLINE ANHYDROUS TD TABLET 250MG
** 50007172	THEOPHYLLINE ANHYDROUS TD TABLET 300MG
** 50007175	THEOPHYLLINE ANHYDROUS TD TABLET 400MG

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.4040 RESPIRATORY ALLERGIC: ANTI-ASTHMATIC (Cont'd)
EMERGENCY

Item Number	Drug Name and Strength
** 50007177	THEOPHYLLINE ANHYDROUS TD TABLET 450MG
** 50007155	THEOPHYLLINE TAB/CAP TD 50MG ANHYDROUS
** 50007156	THEOPHYLLINE TAB/CAP TD 60MG ANHYDROUS
** 50007159	THEOPHYLLINE TAB/CAP TD 75MG ANHYDROUS
** 50007160	THEOPHYLLINE-TAB/CAP-TD-100MG-ANHYDROUS
** 50007162	THEOPHYLLINE TAB/CAP TD 125MG ANHYDROUS
** 50007166	THEOPHYLLINE-TAB/CAP-TD-200MG-ANHYDROUS
** 50007168	THEOPHYLLINE-TAB/CAP-TD-250MG-ANHYDROUS
** 50007172	THEOPHYLLINE-TAB/CAP-TD-300MG-ANHYDROUS
** 50007175	THEOPHYLLINE-TAB/CAP-TD-400MG-ANHYDROUS
** 50007177	THEOPHYLLINE-TAB/CAP-TD-450MG-ANHYDROUS
** 50007146	THEOPHYLLINE-TAB/CAP-100MG-ANHYDROUS
** 50007150	THEOPHYLLINE-TAB/CAP-200MG-ANHYDROUS
** 50005689	THEOPHYLLINE-TAB/CAP-300MG-ANHYDROUS
** 00241060	TORNALATE AEROSOL INHALER 0.8% 0.37MG/ ACTUATION 15ML UNIT
** 00241061	TORNALATE AEROSOL INHALER 0.8% 0.37MG/ACTUATION 15ML-REFILL
** 50000440	TRIANCINOLONE ACETONIDE AEROSOL INHALER 20GM
(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)	
SECTION 141.4360 SKIN/MUCOUS MEMBRANE: DERMAL ULCERS	
EMERGENCY	
Item Number	Drug Name and Strength
** 00030375	ACTIDERM DERMATOLOGICAL PATCH
** 05580076	ALLEVYN POLYURETHANE FOAM DRESSING 4" X 4"
** 05581076	ALLEVYN POLYURETHANE FOAM DRESSING 8" X 8"
** 05140062	ASEPTIN SKIN CREAM 85GM
** 50003531	BALSAM PERU; CASTOR OIL; TRYPSIN 72.5MG; 650MG; 0.1MG/0.82ML AEROSOL 60GM
** 50003533	BALSAM PERU; CASTOR OIL; TRYPSIN 72.5MG; 650MG; 0.1MG/0.82ML AEROSOL 120GM
** 08117401	BARD ABSORPTION DRESSING UNIT DOSE STERILE PACKETS
** 08117402	BARD ABSORPTION DRESSING 3GM PACKET
** 08117403	BARD ABSORPTION DRESSING 6GM PACKET
** 08117400	BARD ABSORPTION DRESSING 60GM
** 08130024	BIOCLUSIVE DRESSING 2" X 3"

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.4360 SKIN/MUCOUS MEMBRANE: DERMAL ULCERS (Cont'd)
EMERGENCY

Item Number	Drug Name and Strength
** 08131024	BIOCLUSIVE DRESSING 4" X 5"
** 08132024	BIOCLUSIVE DRESSING 4" X 10"
** 08133024	BIOCLUSIVE DRESSING 5" X 7"
** 08134024	BIOCLUSIVE DRESSING 8" X 10"
** 05140502	BIOLEX WOUND CLEANSER 180ML
** 05141502	BIOLEX WOUND CLEANSER 355ML
** 05140552	BIOLEX WOUND GEL 85ML
** 10102060	CARA-KLENZ SPRAY 180ML
** 10102160	CARA-KLENZ SPRAY 480ML
** 10101005	CARRINGTON DERMAL WOUND GEL 15ML
** 10101030	CARRINGTON DERMAL WOUND GEL 90ML
** 50000160	COLLAGENASE OINTMENT 250U/GM 15GM
** 50000161	COLLAGENASE OINTMENT 250U/GM 30GM
** 00160024	DEBRISAN 60GM
** 00161024	DEBRISAN 120GM
** 00162024	DEBRISAN 4GM PACKETS 7'S
** 00163024	DEBRISAN 4GM PACKETS 14'S
** 12815501	DECUBITEX OINTMENT 15GM
** 12816501	DECUBITEX OINTMENT 60GM
** 12814501	DECUBITEX OINTMENT 120GM
** 12814410	DECUBITEX POWDER 10GM
** 12814420	DECUBITEX POWDER 30GM
** 12814430	DECUBITEX POWDER 1GM 30'S
** 12814440	DECUBITEX POWDER 1GM 100'S
** 02530126	DERMAGRAN OINTMENT 120GM
** 02531126	DERMAGRAN OINTMENT 480GM
** 02530127	DERMAGRAN SPRAY 120ML
** 02531127	DERMAGRAN SPRAY 240ML
** 02532127	DERMAGRAN SPRAY 3840ML
** 00039879	DUODERM CGF EXTRA THIN DRESSING 4" X 4"
** 00038879	DUODERM CGF EXTRA THIN DRESSING 6" X 6"
** 00032876	DUODERM CGF STERILE DRESSING 4" X 4"
** 00033876	DUODERM CGF STERILE DRESSING 6" X 6"
** 00034876	DUODERM CGF STERILE DRESSING 8" X 8"
** 00031879	DUODERM STERILE HYDROACTIVE PASTE 30GM
** 00031876	DUODERM STERILE HYDROACTIVE DRESSING 4X4
** 00031888	DUODERM STERILE HYDROACTIVE DRESSING 6X8
** 00031986	DUODERM STERILE HYDROACTIVE DRESSING 8X8
** 00031988	DUODERM STERILE HYDROACTIVE DRESSING 8X12
** 00031877	DUODERM STERILE HYDROACTIVE GRANULES 4GM
** 00711255	ELASE FOR SOLUTION
** 00712221	ELASE OINTMENT 10GM SIZE
** 00711121	ELASE OINTMENT 30GM SIZE

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.4360
EMERGENCY

SKIN/MUCOUS MEMBRANE: DERMAL ULCERS (Cont'd)

SECTION 141.4360
EMERGENCY SKIN/MUCOUS MEMBRANE: DERMAL ULCERS (Cont'd)

Item Number	Drug Name and Strength
** 00712124	ELASE/CHLOROMYCETIN OINTMENT 10GM SIZE
** 00711124	ELASE/CHLOROMYCETIN OINTMENT 30GM SIZE
G** 00885000	ENVISAN TREATMENT MULTIPACK
G** 00885001	ENVISAN TREATMENT PAD PACK
G** 08231619	EPI-LOCK PRIMARY DRESSING 4" X 36"
G** 08231620	EPI-LOCK PRIMARY DRESSING 4" X 4"
G** 08231621	EPI-LOCK PRIMARY DRESSING 4" X 8"
G** 08231622	EPI-LOCK PRIMARY DRESSING 6" X 8"
G** 08231623	EPI-LOCK PRIMARY DRESSING 8" X 12"
G** 08231618	EPI-LOCK PRIMARY DRESSING 22" X 36"
G** 05580073	INTRASITE GEL INTERACTIVE HYDROGEL 25GM
G** 05580074	INTRASITE INTERACTIVE HYDROCOLLOID WOUND DRESSING 4" X 4"
G** 05582074	INTRASITE INTERACTIVE HYDPOCOLLOID WOUND DRESSING 8" X 8"
G** 05580045	OPSITE TRANSPARENT WOUND DRESSING 2" X 3" (5CM X 7.5CM)
G** 05580042	OPSITE TRANSPARENT WOUND DRESSING 2" X 4" (5CM X 10CM)
G** 05580649	OPSITE TRANSPARENT WOUND DRESSING 5-1/2" X 4" (14CM X 10CM) 10/BOX
G** 05581694	OPSITE TRANSPARENT WOUND DRESSING 5-1/2" X 4" (14CM X 10CM) 50/BOX
G** 05582649	OPSITE TRANSPARENT WOUND DRESSING 5-1/2" X 20" (14CM X 50-3/4CM)
G** 05583649	OPSITE TRANSPARENT WOUND DRESSING 8" X 6" (20-1/3CM X 15CM)
G** 05586649	OPSITE TRANSPARENT WOUND DRESSING 10-1/4" X 8" (26CM X 20-1/3CM)
G** 05584649	OPSITE TRANSPARENT WOUND DRESSING 11" X 4" (28CM X 10CM)
G** 05585649	OPSITE TRANSPARENT WOUND DRESSING 11" X 6" (28CM X 15CM)
G** 05587649	OPSITE TRANSPARENT WOUND DRESSING 11" X 11-3/4" (28CM X 30CM)
G** 05588649	OPSITE TRANSPARENT WOUND DRESSING 11" X 17-3/4" (28CM X 45CM)
G** 08231251	OPTIPORE SPONGE
G** 08231212	SHUR-CLENS 100ML
G** 05140004	SORBSAN WOUND DRESSING 2" X 2"
G** 05140092	SORBSAN WOUND DRESSING 4" X 4"
G** 05140032	SORBSAN WOUND DRESSING 4" X 8"
G** 08231625	SYNTHADERM DRESSING 4" X 4"

Item Number	Drug Name and Strength
G** 08231626	SYNTHADERM DRESSING 4" X 8"
G** 08231627	SYNTHADERM DRESSING 6" X 8"
G** 02121620	TEGADERM TRANSPARENT DRESSING #1620 FIRST AID STYLE 2-3/8" X 2-3/4"
G** 02121621	TEGADERM TRANSPARENT DRESSING #1621 FIRST AID STYLE 4" X 5-1/2"
G** 02121622	TEGADERM TRANSPARENT DRESSING #1622 FRAME STYLE 1-3/4" X 1-3/4"
G** 02121625	TEGADERM TRANSPARENT DRESSING #1625 FRAME STYLE 2-3/8" X 2-3/4"
G** 02121627	TEGADERM TRANSPARENT DRESSING #1627 FRAME STYLE 4" X 10"
G** 02121628	TEGADERM TRANSPARENT DRESSING #1628 FRAME STYLE 6" X 8"
G** 02121629	TEGADERM TRANSPARENT DRESSING #1629 FRAME STYLE 8" X 12"
G** 02121636	TEGADERM TRANSPARENT DRESSING #1636 FRAME POUCH STYLE 4" X 4-3/4"
G** 02121638	TEGADERM TRANSPARENT DRESSING #1638 POUCH STYLE 6" X 8"
G** 02121639	TEGADERM TRANSPARENT DRESSING #1639 POUCH STYLE 8" X 12"
G** 02129505	TEGADERM TRANSPARENT DRESSING #9505 FRAME STYLE 2-3/8" X 2-3/4"
G** 02129506	TEGADERM TRANSPARENT DRESSING #9506 FRAME STYLE 4" X 4-3/4"
G** 02120901	TEGASORB FLEXIBLE HYDROACTIVE DRESSING SMALL OVAL, STERILE 4" X 4-3/4"
G** 02120902	TEGASORB FLEXIBLE HYDROACTIVE DRESSING SMALL SQUARE STERILE 4" X 4"
G** 02120903	TEGASORB FLEXIBLE HYDROACTIVE DRESSING MEDIUM OVAL STERILE 5" X 6"
G** 02120904	TEGASORB FLEXIBLE HYDROACTIVE DRESSING LARGE OVAL STERILE 6-1/2" X 7-7/8"
G** 02120905	TEGASORB FLEXIBLE HYDROACTIVE DRESSING LARGE SQUARE STERILE 6" X 6"
** 00481500	TRAVASE OINTMENT 14.2GM TUBE
G** 08117410	VIGILON WOUND DRESSING 3" X 6" STERILE
G** 08117412	VIGILON WOUND DRESSING 3" X 8" STERILE
G** 08117416	VIGILON WOUND DRESSING 4" X 4" NON-ST
G** 08117411	VIGILON WOUND DRESSING 4" X 4" STERILE
G** 08117413	VIGILON WOUND DRESSING 6" X 8" STERILE

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.4360 SKIN/MUCOUS MEMBRANE: DERMAL ULCERS (Cont'd)
EMERGENCYItem Number Drug Name and Strength
G** 08117414 VIGILON WOUND DRESSING 13" X 24" NON-ST

(Source: Emergency amendment at 14 Ill. Reg. 12278 effective July 15, 1990, for a maximum of 150 days)

SECTION 141.4440 SKIN/MUCOUS MEMBRANE: FUNGICIDES
EMERGENCY

Item Number	Drug Name and Strength
** 00850849	AKRINOL CREAM
** 50001653	CICLOPROX OLAMINE CREAM 1% 15GM
** 50001654	CICLOPROX OLAMINE CREAM 1% 30GM
** 50001651	CICLOPROX OLAMINE LOTION 1% 30ML
** 50000142	CLOTRIMAZOLE CREAM 1.0% 15GM
** 50000143	CLOTRIMAZOLE CREAM 1.0% 30GM
** 50000144	CLOTRIMAZOLE CREAM 1.0% 45GM
** 50000145	CLOTRIMAZOLE CREAM 1.0% 90GM
** 50004821	CLOTRIMAZOLE LOTION 1.0% 30ML
** 50000146	CLOTRIMAZOLE SOLUTION 1.0% 10ML
** 50000147	CLOTRIMAZOLE SOLUTION 1.0% 30ML
** 50001655	ECONAZOLE NITRATE CREAM 1% 15GM
** 50001656	ECONAZOLE NITRATE CREAM 1% 30GM
** 50001657	ECONAZOLE NITRATE CREAM 1% 85GM
** 00030411	FUNGIZONE CREAM 3%
** 00030412	FUNGIZONE LOTION 3%
** 00030426	FUNGIZONE OINTMENT 3%
** 08842448	FUNGOID CREAM 30GM
** 08843149	FUNGOID SOLUTION 15ML
** 08840248	FUNGOID TINCTURE 30ML
** 08841248	FUNGOID TINCTURE 480ML
** 00721590	HALOTEX CREAM 15GM
** 00720590	HALOTEX CREAM 30GM
** 00721591	HALOTEX SOLUTION 10ML
** 00720591	HALOTEX SOLUTION 30ML
** 50006410	IDOCHLORHYDROXYQUIN CREAM 3% 30GM
** 50006412	IDOCHLORHYDROXYQUIN OINTMENT 3% 30GM
** 50001618	KETOCONAZOLE CREAM 2% 15GM
** 50001620	KETOCONAZOLE CREAM 2% 30GM
** 01371375	MONISTAT-DERM CREAM 2% 15GM
** 01370375	MONISTAT-DERM CREAM 2% 30GM
** 01374375	MONISTAT-DERM CREAM 2% 85GM

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.4440 SKIN/MUCOUS MEMBRANE: FUNGICIDES (Cont'd)
EMERGENCY

Item Number	Drug Name and Strength
** 01373375	MONISTAT-DERM LOTION 12ML
** 01372375	MONISTAT-DERM LOTION 30ML
** 00625435	MONISTAT-DERM LOTION 60ML
** 50001184	NAFTIFENE HCL CREAM 1% 15GM
** 50001186	NAFTIFENE HCL CREAM 1% 30GM
** 00263031	NYSTAFORM OINTMENT 15GM
** 50003980	NYSTATIN CREAM 100,000U/GM 15GM
** 50003982	NYSTATIN CREAM 100,000U/GM 30GM
** 50003983	NYSTATIN LOTION 100,000U/ML
** 50003984	NYSTATIN OINT 100,000U/GM 15GM
** 50003986	NYSTATIN OINT 100,000U/GM 30GM
** 50003990	NYSTATIN TOPICAL POWDER 100,000U/GM 15GM
** 50002624	OXICONAZOLE NITRATE CREAM 1% 15GM
** 50002626	OXICONAZOLE NITRATE CREAM 1% 30GM
** 60008025	SKIN/MUCOUS MEMBRANE ANTIFUNGAL-NOT OTHERWISE LISTED IF LAW REQUIRES RX
** 50001800	SULCONAZOLE NITRATE CREAM 1% 15GM
** 50001802	SULCONAZOLE NITRATE CREAM 1% 30GM
** 50001804	SULCONAZOLE NITRATE CREAM 1% 60GM
** 50001806	SULCONAZOLE NITRATE SOLUTION 1% 30ML
** 00770792	TINVER LOTION 180ML

(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)

SECTION 141.4640 TESTING SUPPLIES

EMERGENCY

Item Number	Drug Name and Strength
*** 01932381	ACETEST REAGENT TABLETS 100'S
*** 01932383	ACETEST REAGENT TABLETS 250'S
*** 01932870	ALBUSTIX STRIPS 100'S
*** 01932232	BUMINTEST TABLETS 100'S
*** 09245028	CHEMSTRIP 5 100'S
*** 09245010	CHEMSTRIP BG STRIPS 25'S
*** 09245012	CHEMSTRIP BG STRIPS 50'S
*** 09245030	CHEMSTRIP GP 100'S
*** 09245035	CHEMSTRIP K PAPERS 100'S
*** 09245011	CHEMSTRIP TEST KIT
*** 09245040	CHEMSTRIP UG STRIPS 100'S
*** 09245045	CHEMSTRIP UG STRIPS 100'S

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.4640
EMERGENCY

TESTING SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
*** 01932844	CLINISTIX STRIP 50'S
*** 01932105	CLINITEST ANALYSIS SET
*** 01932114	CLINITEST ANALYSIS SET (2 DROP)
*** 01932112	CLINITEST (2 DROP) 36'S
*** 01932113	CLINITEST (2 DROP) 100'S
*** 01932100	CLINITEST TABLET 36'S
*** 01932121	CLINITEST TABLETS 100'S
*** 01933100	CLINITEST TABLET FOIL 100'S
*** 01932867	COMBISTIX 100'S
*** 01932888	DEXTROSTIX REAGENT STRIPS 25'S
*** 01932886	DEXTROSTIX REAGENT STRIPS 100'S
*** 01932884	DEXTROSTIX REAGENT STRIPS FOIL 10'S
*** 02120505	DIASCAN DUAL PAD STRIPS 50'S
*** 01933802	DIASTIX STRIPS 50'S
*** 01932802	DIASTIX STRIPS 100'S
*** 01931000	DIASTIX-5 STRIPS 100'S
*** 03388597	EXACTECH TEST STRIPS 50'S
50000513	FLUORESCIN SODIUM OPHT SOLN 2.0% 15CC
*** 01932582	GLUCOFILM TEST STRIPS 50'S
*** 01932582	GLUCOFILM TEST STRIPS 100'S
*** 0380031	GLUCOSCAN TEST STRIPS 50'S
*** 05380073	GLUCOSCAN TEST STRIPS 100'S
*** 01932627	GLUCOSTIX STRIPS 50'S
*** 01932628	GLUCOSTIX STRIPS 100'S
*** 01932876	HEMA-COMBISTIX 100'S
*** 01932816	HEMASTIX STRIPS 50'S
*** 01932426	HEMATEST TABLET 100'S
50003457	HISTAMINE PHOSPHATE INJECTION 0.275MG/ML
50003458	HISTAMINE PHOSPHATE INJECTION 2.75MG/ML
50003459	HISTAMINE PHOSPHATE INJECTION 2.75MG/5ML
*** 01933882	KETO-DIASTIX 50'S
*** 01932882	KETO-DIASTIX 100'S
*** 01931010	KETO-DIASTIX 5 100'S
*** 01933880	KETOSTIX STRIPS 50'S
*** 01932880	KETOSTIX STRIPS 100'S
*** 01932810	LABSTIX 100'S
*** 50008000	LANCET FOR DIABETIC USE, STERILE
*** 01932854	N-URISTIX 100'S
*** 05380232	ONE TOUCH TEST STRIPS 50'S
*** 00022344	TES-TAPE 100 TEST PACKAGE
*** 09240535	TRACER BG STRIPS 50'S
*** 05499300	TRENDSRIPS 50'S
*** 01932855	URISTIX 100'S

DEPARTMENT OF PUBLIC AID

NOTICE OF EMERGENCY AMENDMENTS

SECTION 141.4640
EMERGENCY

TESTING SUPPLIES (Cont'd)

Item Number	Drug Name and Strength
*** 01931050	VISIDEX II REAGENT STRIPS 25'S
*** 01931080	VISIDEX II REAGENT STRIPS 100'S
(Source: Emergency amendment at 14 Ill. Reg. 12278, effective July 15, 1990, for a maximum of 150 days)	

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENT

- 1) The Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. 310
- 3) Section Number:
310.540
Action:
Withdraw
- 4) Date Notice of Proposed Amendment Published in the Illinois Register:
Published in the July 13, 1990 Illinois Register at 14 Ill. Reg. 10974
- 5) Reason for the withdrawal:

The staff of the Joint Committee on Administrative Rules has asked that the Department of Central Management Services withdraw the proposed amendment to Section 310.540 that was published in the July 13, 1990 Illinois Register. This amendment reflected a change to the allowable increase percentages in the Annual Merit Increase Guidechart for Merit Compensation employees that was previously published in the Illinois Register on April 13, 1990. It is the intent of the staff of the Joint Committee on Administrative Rules to simplify procedures by recommending a correction to the April 13, 1990 filing at their July meeting. The Fiscal Year 1991 amendments were implemented by an emergency filing with the modification in the allowable increase percentages in Section 310.540 in the same July 13, 1990 Illinois Register at 14 Ill. Reg. 11330.

DEPARTMENT OF REVENUE
NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish this information in the Illinois Register:

Name of Act: Illinois Department of Revenue Sunshine Act
Citation: Ill. Rev. Stat. 1989, ch. 127, par. 2001
(Public Act 82-727, effective November 12, 1981)
2. Summary of information:

Index of Department of Revenue Sales and Excise Tax letter rulings issued for the First Quarter of 1990.

Synopses of the letter rulings of the Department of Revenue, Sales and Excise Tax Division, were published at 14 Ill. Reg. 10168, June 22, 1990. Due to computer error, the synopses for the month of January were omitted. The complete list for the First Quarter of 1990, including the January synopses, are as follows:

The ruling letters are listed numerically with a brief synopsis and then indexed by subject area.

Sales and Excise Tax subject headings are as follows:

Agents	Governmental Bodies
Agricultural Producers & Products	Graphic Arts
Assessments	Gross Receipts
Auto Renting Tax	Hotel Operators Tax
Bingo	Interest
Books and Records	Interstate Commerce
Bulk Sales	Itinerant Vendors
C.O.A.D.	Leasing
Certificate of Registration	Liquor Tax
Cigarette Tax	Local Taxes
Claims for Credit	Mandatory Service Charges
Coal Fueled Devices	Manufacturers
Coal Mining Equipment	Manufacturing Machinery and Equipment
Coins & Precious Metals	Miscellaneous
Computer Software	Motor Fuel Tax
Construction Contractors	Motor Vehicles
Cooperative Associations	Nexus
Delivery Charges	Non-profit Institutions
Distillation Machinery	Occasional Sale
Enterprise Zones	Oil Field Equipment
Exempt Organizations	Penalties
Farm Machinery & Equipment	Pollution Control Facilities
Federal Excise Tax	Prepaid Sales Tax
Financial Institutions	Products of Photoprocessing
Food, Drugs and Medical Appliances	

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

(Continued)

Property Tax
Public Utility Taxes
Real Estate Transfer Tax
Repairs
Replacement Vehicle Tax
Returns
Rolling Stock Exemption
Sale at Retail
Sale for Resale
Sale of Service
Sellers of Newspapers,
Magazines, Etc.
Signature
Special Order
Statute of Limitations
Tax Collection
Tax Increment Financing
Tax Rate
Telecommunications Excise Tax
Temporary Storage
Trade--Ins
Use Tax
Vehicle Use Tax
Vendors

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of \$1.00 per opinion plus 25¢ per page for each page over one.

The annual publication (all four quarters) is available for \$4.50.

3. Name and address of person to contact concerning this information:

Margaret Forth
Legal Division
101 West Jefferson Street
Springfield, Illinois 62708
Telephone: (217) 782-6996

DEPARTMENT OF REVENUE

1990 FIRST QUARTER SUNSHINE INDEX

AUTO RENTING TAX

90-0040 2-6-90 The Illinois sales tax consequences of an automobile leasing activity depend upon the duration of the lease. If the lease is for one year or less, Illinois Automobile Renting Occupation Tax liability on gross rental receipts is incurred. Lessors of automobiles under lease terms in excess of one year must pay sales tax on their cost price of the vehicle. However, the rental receipts under long-term lease agreements are not subject to Illinois sales tax liability.

BINGO

90-0004 1-3-90 "Free" bingo is not subject to tax or regulation.
90-0031 1-29-90 Bingo played without charge to the players is not regulated by the Department.

BULK SALES

90-0067 2-23-90 A repossession of equipment and inventory by a lender under the terms of a financing agreement upon a default by a borrower does not constitute a transfer within the meaning of the Bulk Sales provision of the Retailers' Occupation Tax Act.

CLAIMS FOR CREDIT

90-0022 1-24-90 Claimants for credit must demonstrate that they have borne the burden of the tax.
90-0055 2-9-90 Only the person who paid the tax to the Department can file a claim for credit.

COMPUTER SOFTWARE

90-0026 1-26-90 Effective October 1, 1989, canned or prepackaged software, but not modified or custom software, is fully taxable as general merchandise.
90-0028 1-26-90 Effective September 1, 1989, gross receipts from retail sales of canned computer software are subject to Retailers' Occupation Tax liability. Custom computer software is not subject to this tax.

DEPARTMENT OF REVENUE

- 90-0029 1-26-90 Effective September 1, 1989, gross receipts from retail sales of canned computer software are subject to Retailers' Occupation Tax liability. Custom computer software is not subject to the tax.
- 90-0121 3-27-90 If the selling prices of computer hardware and software are not separately stated on a selling invoice, the whole selling price is taxable even if such software would have been exempt if separately stated.
- CONSTRUCTION CONTRACTORS**
- 90-0002 1-2-90 A person who sells and installs a water softener acts as a construction contractor and incurs Use Tax liability based upon the cost price of the water softener. See 86 Ill. Code 130.1940 (c).
- 90-0021 1-24-90 For Illinois sales tax purposes, construction contractors are deemed to be the users of building materials affixed to real property.
- 90-0024 1-24-90 In Illinois, construction contractors are deemed to be the users of building materials purchased by them for physical incorporation into real estate.
- 90-0025 1-25-90 For Illinois sales tax purposes, construction contractors are deemed to be the users of the building materials they purchase to permanently affix to real estate.
- 90-0039 2-6-90 Construction contractors are deemed to be the users of the building materials they purchase for physical incorporation into real estate.
- 90-0060 2-15-90 A combination retailer/construction contractor who is uncertain whether he will resell building materials over-the-counter or incorporate them into real estate, can give the certification described at 86 Ill. Adm. Code 130.2075(b) when purchasing those building materials.
- 90-0072 2-28-90 Contractors are liable for Use Tax when permanently affixing waste treatment systems to real estate.
- 90-0082 3-8-90 Sales of materials to construction contractors for incorporation into real estate owned by exclusively charitable, religious or educational institutions or organizations, or for incorporation into real estate owned by governmental bodies, are exempt from Retailers' Occupation Tax and Use Tax. See 86 Ill. Adm. Code 130.2075(d).

DEPARTMENT OF REVENUE

- 90-0084 3-13-90 Carpeting which is glued or cemented to the floor is considered permanently affixed to real estate. Carpeting which is tacked down remains tangible personal property.
- 90-0099 3-14-90 For Illinois sales tax purposes, a carpet installation constitutes a construction contract situation where the carpet is glued down. Where the carpet is tacked down, a retail transaction results.
- 90-0102 3-15-90 This letter describes the forms which the pre-development transfer requirement may take when construction contractors claim the exemption for building materials purchased for incorporation into improvements which are to be turned over to a governmental unit upon completion. See, 86 Ill. Adm. Code 130.2075(c).
- 90-0104 3-15-90 Sellers of modular homes who permanently affix the modular units to realty are deemed end-users of those units.
- 90-0106 3-15-90 For purposes of the Illinois sales tax laws, the sale and installation of an underground sprinkler system is a construction contract situation with the seller/installer incurring a Use Tax liability based on his cost price of components of the system.
- ENTERPRISE ZONES**
- 90-0003 1-3-90 The exemption for building materials sold for incorporation into an enterprise zone is available only to retailers located in a jurisdiction which created the enterprise zone into which the materials will be incorporated. See 86 Ill. Adm. Code Section 130.1951
- 90-0078 3-7-90 Location in an enterprise zone does not confer blanket sales tax exempt status. The exemptions related to enterprise zones are set out in 86 Ill. Adm. Code 130.1951
- 90-0120 3-27-90 In order to claim the enterprise zone deduction, building materials must be incorporated into real estate located in a zone by remodeling, rehabilitation or new construction. The retailer needs to be located in the municipality or incorporated area of the county which established the zone. See 86 Ill. Adm. Code 130.1951(a).
- EXEMPT ORGANIZATIONS**
- 90-0097 3-14-90 Sales to governmental units are exempt from Retailers' Occupation Tax.

DEPARTMENT OF REVENUE

FARM MACHINERY & EQUIPMENT

90-0098 3-14-90 Oil, grease and anti-freeze do not constitute machinery or equipment and do not qualify for the Farm Machinery and Equipment Exemption.

FOOD, DRUGS AND MEDICAL APPLIANCES

90-0010 1-16-90 Generally, exercise machines do not qualify as medical appliances. However a treadmill purchased under a doctor's prescription would qualify for the reduced rate of tax.

90-0071 2-28-90 Effective 1/1/90, the Illinois Retailers' Occupation Tax rate applicable to sales of medical appliances is 1%.

90-0096 3-14-90 Bandages, over-the-counter products purporting to have medicinal qualities, first-aid kits and emergency oxygen units qualify for the reduced rate of tax applicable to medical appliances.

90-0100 3-15-90 Vitamins and food supplements qualify for the low rate of tax.

90-0107 3-19-90 Adult diapers are subject to a low tax rate.

90-0117 3-26-90 Under the authority of Travenol Laboratories, Inc. v. Department of Revenue, 195 Ill. App. 3rd 532, medical appliances sold to health care professionals for use in delivering medical services can qualify for the reduced rate of tax.

90-0122 3-28-90 This letter makes determinations concerning the high rate/low rate of tax to items sold by a medical supply house.

90-0128 3-29-90 Candy bars and aspirin are taxed at the low rate of tax.

GROSS RECEIPTS

90-0001 1-2-90 Freight charges are not subject to Retailers' Occupation Tax if such charges are separately contracted for and are not included in the selling price of the tangible personal property which is sold.

90-0033 1-29-90 Incentives offered by manufacturers to dealers which take the form of a reduced selling price are in the nature of

DEPARTMENT OF REVENUE

a discount and, as such, need not be included in gross receipts when calculating Retailers' Occupation Tax liability.

90-0068 2-23-90 Gross receipts from a "two for the price of one" sale are measured by the amount actually received by the retailer (the price of one).

90-0103 3-15-90 When a retailer receives reimbursement on a discount coupon, the amount of that reimbursement must be included in gross receipts when calculating Retailers' Occupation Tax liability. See 86 Ill. Adm. Code 130.2125.

90-0127 3-28-90 Transportation charges can be excluded from the sales tax calculation only when the seller and the purchaser agree to the transportation charge separate and apart from the selling price of the item being sold. Setting out a transportation or delivery charge as a separate item on an invoice is not evidence of a separate agreement for delivery.

90-0129 2-22-90 When documentation of a distinct agreement for freight and delivery services is in evidence, the transportation cost may be deducted from gross receipts.

INTERSTATE COMMERCE

90-0007 1-9-90 The interstate commerce exemption is set out at 86 Ill. Adm. Code Section 130.605.

90-0044 2-6-90 The interstate commerce exemption has no application where the seller makes an out-of-State delivery of items which will be returned to Illinois.

90-0049 2-6-90 Where an Illinois retailer is required to make an out-of-State delivery of items which will not be returned to Illinois, the Interstate Commerce Exemption is available.

90-0061 2-15-90 The Interstate Commerce Exemption is available where the Illinois seller is required to deliver outside Illinois and does make the out-of-State delivery. This is true even though the items remain in the seller's inventory for a time awaiting that delivery.

LEASING

90-0012 1-16-90 In Illinois, lessors are deemed to be the users of the tangible personal property which they hold for rental purposes. For that reason, lessors in Illinois incur a Use

DEPARTMENT OF REVENUE

Tax liability based on their cost price of items purchased for rental purposes.

90-0019

1-23-90 For Illinois sales tax purposes, lessors are deemed to be the users of items purchased for their rental inventories.

90-0023

1-24-90 This letter describes the application of the Illinois sales tax laws to short term and long term rentals of automobiles.

90-0043

2-6-90 Occasional sale of medical equipment and subsequent lease back arrangements are exempt from Illinois Retailers' Occupation Tax and Use Tax.

90-0050

2-6-90 For purposes of Illinois sales tax, lessors are deemed to be the users of items purchased for their rental inventories.

90-0077

3-6-90 For Illinois sales tax purposes, lessors are deemed to be the users of items purchased for their rental inventories.

90-0115

3-23-90 Lessors incur Use Tax liability on their cost price of items purchased for their rental inventories. Transportation & delivery charges are includable in gross receipts if not separately contracted for.

LOCAL TAXES

90-0035

2-2-90 An out-of-State seller who accepts purchase orders outside Illinois and sells items located outside Illinois at the time of sale, does not incur Municipal Retailers' Occupation Tax liability. See 86 Ill. Adm. Code 270.115

90-0053

2-7-90 Retailers who accept purchase orders outside Illinois and who maintain no inventory in Illinois are not liable for local Retailers' Occupation Tax liabilities.

90-0070

2-27-90 This letter acknowledges receipt of RTA/ROT and RTA/SOT ordinances imposed under the authority of PA 85-1135 and effective January 1, 1990.

90-0113

3-22-90 Purchase order acceptance fixes jurisdiction for local Retailers' Occupation Tax liability. In the absence of an IL purchase order acceptance, the location of an IL inventory fixes jurisdiction for local Retailers' Occupation Tax liability.

DEPARTMENT OF REVENUE

3-28-90 The provision permitting a municipality to impose a Home Rule Tax does not allow the municipality to impose a tax on certain food and drugs and exempt others.

90-0123

90-0125

3-28-90 Local Retailers' Occupation Tax jurisdiction depends on purchase order acceptance.

90-0126

3-28-90 The provision permitting a municipality to impose a Home Rule Tax does not allow the municipality to impose a tax on certain food and drugs and exempt others.

MANUFACTURING MACHINERY AND EQUIPMENT

90-0038

2-6-90 Repair parts for machinery which qualifies for the Manufacturing Machinery and Equipment Exemption can also qualify for the exemption when sold "over-the-counter." The exemption is not available when the parts are transferred incident to a repair service.

90-0041

2-6-90 Machinery which places tangible personal property into the packaging in which it is sold to the ultimate consumer can qualify for the Manufacturing Machinery and Equipment Exemption.

90-0042

2-6-90 Abrasives, electric hand tools, saw blades, and drill bits can qualify for the Manufacturing Machinery and Equipment Exemption.

90-0054

2-9-90 Fuel does not qualify as manufacturing machinery and equipment.

90-0062

2-20-90 The documentation requirements of the manufacturing machinery and equipment exemption are set out at 86 Ill. Adm. Code 130.330(g).

90-0073

2-28-90 Chemicals used in manufacturing do not qualify for exemption.

90-0079

3-8-90 The Manufacturers Equipment and Machinery exemption does not apply to the use of machinery or equipment to store, convey, handle or transport finished articles at the end of the production cycle. This would also apply to equipment which stores, handles, conveys or transports materials prior to their entrance into the production cycle. See, Ill. Adm. Code 130.330(d)(4)(c) and (D).

90-0105

3-15-90 Ground corn cobs used as an abrasive medium to polish items being manufactured for sale can qualify for the Manufacturing Machinery & Equipment Exemption.

DEPARTMENT OF REVENUE

- 90-0108 3-16-90 Abrasives used in a manufacturing machine to polish the item being manufactured can qualify for the manufacturing machinery and equipment exemption as replacement parts.
- 90-0112 3-22-90 Trucks delivering gravel and crushed stone do not qualify for the manufacturing machinery and equipment exemption.
- 90-0119 3-26-90 Machinery and equipment used to manufacture dental products can qualify for the Manufacturing and Machinery exemption.
- MISCELLANEOUS
- 90-0008 1-12-90 Wholesalers whose products are sold at retail in Illinois by numerous independent distributors may assume the responsibility for accounting and paying all Retailers' Occupation Tax with respect to such sales if the independent distributors who are affected do not make written objection to the arrangement. See, 86 Ill. Adm. Code 130.550.
- 90-0009 1-12-90 This letter describes the application of the Illinois sales tax laws to transfers of mailing lists.
- 90-0011 1-16-90 The Illinois sales tax laws are conditioned upon the transfer of tangible personal property in Illinois.
- 90-0017 1-19-90 Clarify letter ruling of 1-3-90. A serviceman is not entitled to the collector's discount until January 1, 1990.
- 90-0036 2-5-90 The Illinois sales tax laws are conditioned upon the transfer of tangible personal property for use or consumption.
- 90-0051 2-7-90 A contract carrier who makes no sales of tangible personal property incurs no obligation to collect Illinois sales tax.
- 90-0056 2-13-90 The Governor's approval would be required in order to allow an Indian tribe to establish a bingo operation in Illinois.
- 90-0063 2-20-90 Effective 1/1/90, the Illinois Retailers' Occupation Tax Rate is 6 1/4%.
- 90-0081 3-8-90 Retailers' Occupation Tax does not apply to sales of machinery and equipment used primarily in the manufacturing or assembling of tangible personal property for wholesale or retail sale or lease. See 86 Ill. Adm. Code 130.330.

DEPARTMENT OF REVENUE

- 90-0083 3-9-90 A list of entities currently holding an exemption number under the Sales Tax Exemption Status may be available under the Freedom of Information Act. See 2 Ill. Adm. Code 1201.210 and 1201.220.
- 90-0093 3-14-90 Isolated sale of an aircraft by a disclosed principal results in no Retailers' Occupation Tax liability.
- 90-0095 3-14-90 The Illinois Department of Revenue has no jurisdiction to intercede in a dispute between a repairman and a service customer involving an Indiana sales tax liability for which the serviceman sought reimbursement.
- 90-0101 3-15-90 Coal purchases intended for resale will not incur tax. A resale number can be presented to the coal supplier thereby avoiding tax liability.
- 90-0111 3-20-90 Federal credit unions are exempt from paying Use Tax by virtue of 12 U.S.C. 1768. However, that Federal statute provides no exemption for the Retailers' Occupation Tax liability incurred by Illinois retailers making sales to Federal credit unions.
- 90-0116 3-23-90 Public Act 86-383 requires that applications to register under the Retailers' Occupation Tax Act contain "the name and address of the person or persons who will be responsible for filing returns and payment of taxes due under this Act...and the application shall contain an acceptance of responsibility signed by the person or persons who will be responsible for filing returns and payment of the taxes under this Act."
- MOTOR FUEL TAX
- 90-0109 3-16-90 RTA/MED tax is not treated in the same manner as Federal Excise Tax and Underground Storage Tank Tax for figuring gasoline exemption.
- POLLUTION CONTROL FACILITIES
- 90-0057 2-13-90 Bulldozers used in a landfill to cover waste material can qualify for the Pollution Control Exemption but trucks used to transport waste to the landfill would not qualify.

DEPARTMENT OF REVENUE

90-0064 2-20-90 Down draft system which removes dust and paint overspray which would otherwise escape unfiltered, can qualify as a pollution control facility.

90-0080 3-8-90 So long as the primary purpose of an air cleaner is the removal of pollutants from the air, it can qualify for the exemption afforded pollution control facilities.

90-0090 3-13-90 Any system or appliance used for the primary purpose of eliminating, preventing or reducing air and water pollution is exempt from taxation under the Retailers' Occupation Tax Act. See 86 Ill. Adm. Code 130.335.

90-0094 3-14-90 Septic systems do not qualify as pollution control facilities.

90-0118 3-26-90 Filters sold to an asbestos abatement business, which are installed in water discharge systems to filter asbestos from water being released into sewer systems, can qualify for the pollution control exemption.

PRODUCTS OF PHOTOPROCESSING

90-0032 1-29-90 Effective September 1, 1988, gross receipts from retail sales of the products of photoprocessing are subject to Retailers' Occupation Tax liability.

RETURNS

90-0087 3-13-90 The Retailers' Occupation Tax Act requires the filing of returns on a monthly basis

ROLLING STOCK

90-0016 1-18-90 The Rolling Stock exemption is available to long-term lessors of interstate carriers for hire under the circumstances set out at 86 Ill. Adm. Code Section 130.340(e).

SALE AT RETAIL

90-0059 2-13-90 Where tangible personal property is sold to users or consumers by means of vending machines, the person owning the property contained in the machines makes final sales of such property for use or consumption and thereby measures Retailers' Occupation Tax liability. See 86 Ill. Adm. Code 130.2135.

DEPARTMENT OF REVENUE

SALE FOR RESALE

90-0006 1-9-90 Sales for resale should be documented by Certificates of Resale containing the information set out at 86 Ill. Adm. Code 130.1410.

90-0089 3-13-90 Sales of cement to manufacturers who incorporate it into a product for resale qualify for exemption as sales for resale.

90-0130 2-18-90 Illinois Business Tax numbers do not confer tax exemption status in and of themselves, but can be provided on Certificates of Resale to document purchases for resale.

SALE OF SERVICE

90-0005 1-3-90 Car washes and laundromats incur Service Occupation Tax liability.

90-0013 1-16-90 This letter describes the changes made in the Service Occupation Tax Act which were effective January 1, 1990, as they apply to special order printers.

90-0015 1-18-90 This letter describes the application of the Service Occupation Tax changes effective January 1, 1990 to pharmacists.

90-0027 1-26-90 This letter describes the Service Occupation Tax changes effective 1/1/90.

90-0037 2-5-90 This letter sets out the changes in the Service Occupation Tax which became effective January 1, 1990.

90-0045 2-6-90 Service Occupation Tax applies to boarders of horses.

90-0047 2-6-90 The Illinois Service Occupation Tax is conditioned upon the transfer of tangible personal property incident to a sale of service.

90-0065 2-20-90 A secondary serviceman incurs Service Occupation Tax at a rate of 1% of the selling price of medical appliances sold to primary servicemen or 50% of the entire invoice if such selling price is not separately stated. The primary serviceman may issue the secondary serviceman a Certificate of Resale and can purchase such items tax-free if that primary serviceman is registered.

- 90-0069- 2-26-90 The purchase of an ambulance chassis by an ambulance company is subject to Illinois Use Tax liability. The cost of having a modular unit owned by the ambulance company mounted on the new chassis does not result in Service Use Tax liability.
- 90-0075 3-2-90 Describes how the Service Occupation Tax changes effective 1/1/90 affect sub-service situations.
- 90-0086 3-13-90 Application of Service Occupation Tax to auto body shops.
- 90-0088 3-13-90 Application of Service Occupation Tax to oil changes.
- 90-0110 3-19-90 Trash bags, the selling price of which contains a fee for disposal service, measure tax under Service Occupation Tax upon 50% of the selling price.
- 90-0114 3-23-90 Effective 1/1/90, a serviceman who is not de minimus and who does not show the selling price of repair parts as a separate item incurs a Service Occupation Tax liability based on 50% of the entire service billing.
- 90-0124 3-28-90 Describes the application of the Service Occupation Tax to several situations involving the sale of leaf collection bags which include hauling fee in the sales price.

TELECOMMUNICATIONS TAX

- 90-0014 1-18-90 Local municipalities do not qualify for an exemption from the Telecommunications Excise Tax. Only states and Federal governments, as well as state universities, qualify.

USE TAX

- 90-0018 1-19-90 This letter discusses an out-of-State seller's obligation to register as an Illinois Use Tax collector.
- 90-0020 1-24-90 Auto body shops incur an Illinois Use Tax liability when purchasing consumable supplies such as sand paper and masking tape. These items are not resold and costing them out to specific jobs does not change that.
- 90-0030 1-29-90 Effective 1/1/90, the rate of the Illinois Use Tax is 6 1/4%.
- 90-0034 2-2-90 Auto body shops incur an Illinois Use Tax liability when purchasing consumable supplies such as sand paper and

- 90-0046 2-6-90 Out-of-State lessor is subject to Illinois Use Tax when leasing items at Illinois locations.
- 90-0048 2-6-90 Pursuant to the provisions of PA 86-261, the definition of a "retailer maintaining a place of business in (Illinois)" includes out-of-State retailers "... owned or controlled by the same interests which own or control any retailer engaging in business in the same or similar line of business in this State."
- 90-0052 2-7-90 The Use Tax does not apply to the Illinois use of items acquired outside Illinois by a nonresident individual who then brings the items to Illinois after having used them outside Illinois for three months. See 86 Ill. Adm. Code 150.315(a).
- 90-0058 2-13-90 The factors which establish nexus with Illinois for purposes of determining Illinois Use Tax collection obligations are set out at PA 86-261.
- 90-0066 2-22-90 Effective January 1, 1990, out-of-State Use Tax collectors collect at the rate of 6.25%.
- 90-0076 3-9-90 The sale of an airplane by a seller who is not in the business of selling airplanes does not result in an Illinois sales tax liability. See 86 Ill. Adm. Code 130.101.
- 90-0085 3-13-90 Tangible personal property acquired outside this State, brought into this State for temporary storage and then used solely outside the State is not subject to Illinois Use Tax. A temporary storage exemption applies in this situation.
- 90-0091 3-13-90 The Use Tax Act contains a provision authorizing a credit for sales taxes properly paid to another state.
- 90-0092 3-14-90 Customer trade-in is not available to reduce a lessor's Use Tax liability.

VEHICLE USE TAX

- 90-0074 3-1-90 Vehicle Use Tax does not apply to the title transfers to a receiver pursuant to a plan of asset liquidation.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of July 9, 1990, through July 13, 1990, and have been scheduled for review by the Committee at its August 21, 1990 meeting. Other items not contained in this published list may also be considered by the Joint Committee at its August meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Joint Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
8/21/90	Department of Public Aid, Medical Assistance Programs (89 Ill. Adm. Code 120)	5/25/90 14 Ill. Reg. 7821	August 21, 1990
8/21/90	Department of Public Health, Food Service Sanitation Code (77 Ill. Adm. Code 750)	4/6/90 14 Ill. Reg. 5050	August 21, 1990
8/27/90	Secretary of State, Mandatory Vehicle Liability Insurance (50 Ill. Adm. Code 8010)	5/18/90 14 Ill. Reg. 7417	August 21, 1990
8/27/90	Secretary of State, Cancellation, Revocation or Suspension of Licenses or Permits (92 Ill. Adm. Code 1040)	5/25/90 14 Ill. Reg. 8109	August 21, 1990
8/27/90	Department of Revenue, Income Tax (86 Ill. Adm. Code 100)	5/11/90 14 Ill. Reg. 7090	August 21, 1990
8/27/90	Department of Public Aid, Aid to the Aged, Blind or Disabled (89 Ill. Adm. Code 113)	5/25/90 14 Ill. Reg. 7813	August 21, 1990

PROCLAMATION

90-337

DISASTER AREAS - SEVERAL COUNTIES

A series of severe thunderstorms with torrential rains and damaging winds occurred in the northwest portion of the State on June 29, 1990. These storms have created record flooding conditions, serious public service disruptions and extensive damages to real and personal property, business enterprises, farms, livestock, agricultural levees, roads and other property in affected counties.

In the interest of aiding those citizens who were adversely affected and suffered losses because of wind damage and flood conditions and to minimize any further impact on the public health, safety and welfare of our citizens, I hereby declare Bureau, Henry, Jo Daviess, Marshall, Stephenson, and Winnebago counties to be State of Illinois Disaster Areas, pursuant to the provisions of Section 7(a) of the "Illinois Emergency Services and Disaster Agency Act of 1988" (Ill. Rev. Stat., 1989, ch. 127, par. 1051, et seq.).

This gubernatorial declaration of disaster will aid the Illinois Emergency Services and Disaster Agency in coordinating other State agency resources in the disaster recovery operations; provide for the reassessment of real and personal property substantially damaged by the storms; and make possible any requests for federal disaster assistance.

Issued by the Governor July 10, 1990.

Filed with the Secretary of State July 10, 1990.

90-338

NEGRO LEAGUE BASEBALL PLAYERS DAY

Whereas, African Americans have worked to carve their niche in baseball history, starting in the 1880s with the formation of the League of Colored Baseball Players and continuing through the 1920 founding of the National Association of Colored Professional Baseball Clubs (later known as the Negro National League) and the 1947 signing of Jackie Robinson with the Brooklyn Dodgers; and

Whereas, the league's players endured countless miles on the road, less-than-desirable accommodations, and compensation that was not a fair reflection of their talents and efforts; and

Whereas, the joy, entertainment, spirit, drive, energy, and inspiration they provided crossed all lines of gender, race, religion, creed, and age; and

Whereas, by the time the era was coming to an end, only a fraction of the players had received the much-deserved recognition, fame, appreciation, and financial security; and

Whereas, the strides made, the trails blazed, the sacrifices endured, the skills honed, the friendships formed, and the heights reached will forever maintain their place in history as

the legacy of Negro league baseball players;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim June 12, 1990, as NEGRO LEAGUE BASEBALL PLAYERS DAY in Illinois.

Issued by the Governor July 6, 1990.
Filed with the Secretary of State July 17, 1990.

90-339

PUSH AMERICA DAY

Whereas, the Phi Kappa Phi Fraternity founded People Understanding the Severely Handicapped (PUSH) with the intention of improving the quality of life for people who are severely disabled; and

Whereas, the PUSH America Team, consisting of Phi Kappa Phi Fraternity members, is "Going the Extra Mile" for people who are severely disabled; and

Whereas, the PUSH America Team began a bicycle trip, leaving from San Francisco June 11. The team plans to arrive in Washington, D.C., August 4, after trekking 3,200 miles; and

Whereas, the PUSH America Team will be cycling from city to city, carrying its message to the hearts and homes of people across the United States; and

Whereas, upon completion of their cross-country trek, the cyclists will have raised approximately \$100,000 to further the cause of PUSH;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim July 21, 1990, as PUSH AMERICA DAY in Illinois in recognition of the time, energy, and resources the PUSH America Team has devoted to creating a greater understanding of Americans with disabilities.

Issued by the Governor July 6, 1990.
Filed with the Secretary of State July 17, 1990.

90-340

CHICAGO AFRICAN AMERICAN EXPOSITION DAYS

Whereas, the Chicago African American Exposition (CAAE) is set for July 13, 14, and 15 at Donnelly Hall in McCormick Place in Chicago; and

Whereas, the CAAE aims at bringing together African American consumers to interface directly with corporations, African American businesses and governmental bodies to receive useful information that will positively impact their lives and the lives of their families; and

Whereas, CAAE is expected to attract more than 200,000 African Americans and other citizens throughout the state; and

Whereas, the occasion will serve as a source of enrichment and enlightenment for African Americans;

Therefore, I, James R. Thompson, Governor of the State of

Illinois, proclaim July 13-15, 1990, as CHICAGO AFRICAN AMERICAN EXPOSITION DAYS in Illinois.

Issued by the Governor July 9, 1990.

Filed with the Secretary of State July 17, 1990.

90-341

STEPHEN T. HYNES DAY

Whereas, since 1983 the Bureau of Property Management for the Illinois Department of Central Management Services has operated the State of Illinois Center (SOIC) at Chicago, the largest state office facility in Illinois; and

Whereas, Stephen T. Hynes was the chief engineer at the SOIC from October 1, 1987, until his death on December 11, 1989; and

Whereas, Hynes devoted his entire efforts as chief engineer to improving the mechanical systems in the SOIC and was instrumental in assisting the contractors in placing the heating and air conditioning system on line and developing operating procedures; and

Whereas, the dedication Hynes demonstrated in his job will be remembered by all who were fortunate enough to have worked with him;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim July 12, 1990, as STEPHEN T. HYNES DAY in Illinois. I urge all citizens to honor his memory and this observance by participating in appropriate activities and ceremonies.

Issued by the Governor July 9, 1990.

Filed with the Secretary of State July 17, 1990.

90-342

EMERGENCY NURSES DAYS

Whereas, the Emergency Nurses Association is a national organization of professional nurses committed to emergency care and specializing in emergency nursing; and

Whereas, the Emergency Nurses Association has established standards of excellence for the practice of emergency nursing and provides leadership in identifying and addressing issues affecting their profession; and

Whereas, the Emergency Nurses Association recognizes the importance of continuing education in nursing practice and research that professional nurses need to maintain the high level of health care they provide; and

Whereas, the Emergency Nurses Association encourages the interactive relationships and roles of emergency nurses abroad and in this country; and

Whereas, the State of Illinois joins the rest of the nation in recognizing the value of professional nurses in practice in the presence of the nursing shortage; and

Whereas, the Emergency Nurses Association will be holding its 20th Anniversary annual meeting in Chicago October 10-14, 1990; Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim October 10-14, 1990, as EMERGENCY NURSES DAYS in Illinois.

Issued by the Governor July 11, 1990.

Filed with the Secretary of State July 17, 1990.

90-343

**NATIONAL BASKETBALL PLAYERS ASSOCIATION
/LITTLE CITY FOUNDATION DAY**

Whereas, the 10th Annual National Basketball Players Association Awards Dinner will be held Sunday, September 9, 1990, at the Hyatt Regency Hotel in Chicago; and

Whereas, proceeds from this benefit will help support the Little City Foundation and its efforts on behalf of children and adults with mental retardation and other developmental challenges; and

Whereas, the National Basketball Players Association Awards Dinner was founded 10 years ago in Chicago to honor players who have contributed the most to their communities and who have distinguished themselves on the basketball court; and

Whereas, professional basketball stars representing all of the National Basketball Association teams will attend the dinner; and

Whereas, the awards dinner and program is made possible through the generous and untiring efforts of Marvin Herb, civic leader and general chairman of this year's dinner; Dan Ligurotis, National Labor Chairman; Robert Simpson, Regional Labor Chairman; Bud Solk, Program Chairman; and the executives and staff of the Little City Foundation;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim Sunday, September 9, 1990, as NATIONAL BASKETBALL PLAYERS ASSOCIATION/LITTLE CITY FOUNDATION DAY in Illinois.

Issued by the Governor July 11, 1990.

Filed with the Secretary of State July 17, 1990.

90-344

OTTO WHITEHILL DAY

Whereas, for the past 24 years, Otto Whitehill has served persons with disabilities at the Chicago Association for Retarded Citizens and has served as the association's executive director for the past 19 years; and

Whereas, Otto has gained a great deal of respect throughout Illinois for the leadership he has provided to state and community agencies and to the legislature in the development of innovative and necessary programs and services for the state's

developmentally disabled citizens; and

Whereas, Otto has served in a variety of capacities for organizations serving persons with disabilities, including the Chicago Metropolitan Executive Directors Committee, the board of directors of the Illinois Association of Rehabilitation Facilities, Inc., the executive directors for the board of directors of the Association for Retarded Citizens of Illinois, the Illinois Planning Council on Developmental Disabilities, and the Illinois Conference of Executives of Associations for Retarded Citizens; and

Whereas, Otto is being honored September 27 on the occasion of his retirement as executive director of the Chicago Association for Retarded Citizens;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim September 27, 1990, as OTTO WHITEHILL DAY in Illinois in recognition of Otto's many contributions and years of dedication to the Chicago Association for Retarded Citizens.

Issued by the Governor July 11, 1990.

Filed with the Secretary of State July 17, 1990.

90-345

TRUE VALUE FITNESS-FUN DAY

Whereas, the lifestyles of today's children have changed dramatically over the last decade, leading to a decline in the physical conditioning of our children; and

Whereas, to combat this serious problem, the True Value "Run To Fitness" youth program has been developed to educate and encourage a lifestyle of exercise and fitness at a stage where habits are just forming; and

Whereas, the program was developed by Yam Productions Inc. and the Athletic Congress, through funding from Cotter & Company;

and Whereas, a public/private coalition has been formed to reach out to all Illinois youths from ages seven to fourteen. The coalition includes Yam Productions, TAC, Illinois elementary schools, the Illinois Governor's Council on Health and Physical Fitness, and the Illinois Park and Recreation Association's Take Time For Fun Agency; and

Whereas, "True Value Fitness-Fun Day" will take place July 18 in Lisle and is expected to draw 3,500 youths from a number of cities throughout our state;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim July 18, 1990, as TRUE VALUE FITNESS-FUN DAY in Illinois in recognition of the importance of the coalition's dedication to improving the fitness of our young people.

Issued by the Governor July 11, 1990.

Filed with the Secretary of State July 17, 1990.

90-346

U.S. SPACE OBSERVANCE DAYS/SPACE EXPLORATION DAY

Whereas, the 21st anniversary of the July 20th Apollo 11 flight to the moon is being commemorated throughout the nation July 16-24th. July 20th also marks the 14th anniversary of the first Viking landing on Mars; and

Whereas, our concept of the universe and our relation to it have been changed forever due to the first successful space flight and the historic moon landings; and

Whereas, beneficial effects on our lives such as improved world communication, a wealth of medical technology, and nutrition and food research have been made possible through our continually advancing space program; and

Whereas, the purpose of the United States Space Observance is to stress the benefits of the space program to all mankind, to encourage increased public understanding of the nation's space program, and to commemorate the nation's first historic landing on the moon; and

Whereas, it is also fitting that we remember the Challenger astronauts and their dedication to space so that they will not have fallen in vain;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim July 16-24, 1990, as U.S. SPACE OBSERVANCE DAYS and July 20, 1990, as SPACE EXPLORATION DAY in Illinois in recognition of the historic moon landing and our continued dedication to achievement in our space program.

Issued by the Governor July 11, 1990.
Filed with the Secretary of State July 17, 1990.

90-347

VOCATIONAL STUDENT ORGANIZATION WEEK

Whereas, the proper education of today's youth is a concern of all Americans; and

Whereas, vocational student organizations are dedicated to the advancement of proper education, training, and development of America's youth; and

Whereas, for the past 13 years, groups such as the Illinois Coordinating Council for Vocational Student Organizations have advanced the awareness of the importance of vocational student organizations as an integral part of the educational curriculum; and

Whereas, vocational student organizations in Illinois include Distributive Education Clubs of America (DECA), Future Business Leaders of America (FBLA), Illinois Association of Future Farmers of America (IFFA), Future Homemakers of America/Home Economics Related Occupations (FHA/HERO), Health Occupation Students of America (HOSA), Postsecondary Agricultural Students (PAS), Phi Beta Lambda (PBL), Technology Student Association (TSA), and Vocational Industrial Clubs of America (VICA);

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim September 30-October 6, 1990, as VOCATIONAL STUDENT ORGANIZATION WEEK in Illinois in recognition of the contributions these organizations have made to the education of our youth.

Issued by the Governor July 11, 1990.

Filed with the Secretary of State July 17, 1990.

90-348

APOSTLE LARRY C. SIMMONS DAY

Whereas, Apostle Larry Carl Simmons has successfully climbed the ecclesiastical ladder from minister, to evangelist, to elder, to pastor, to chief apostle of Greater Holy Temple International Interdenominational Church of Illinois Inc.; and

Whereas, Apostle Simmons travels extensively, proclaiming the word of God in worship and revivals; and

Whereas, Apostle Simmons is involved with overall community and school affairs and recently implemented the Central Illinois Share Food Distribution Program at Greater Holy Temple; and

Whereas, Apostle Simmons has gone to great lengths to provide valuable services to his community and our state; Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim July 22, 1990, as APOSTLE LARRY C. SIMMONS DAY in Illinois.

Issued by the Governor July 12, 1990.

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90-349

FIREFIGHTERS APPRECIATION WEEK

"Not a gift of a cow, nor a gift of land, nor yet a gift of food, is so important as the gift of safety, which is declared to be the great gift among all gifts in this world" Panchatantra (c. 5th century)

Whereas, firefighters are prepared to sacrifice their lives at all times in their professional service to their communities; and

Whereas, their immense contributions, both of personal risk and time devoted to public service, need to be acknowledged; and Whereas, last year firefighters in more than 100 Illinois communities raised and donated over \$200,000 to the Muscular Dystrophy Association;

Therefore, I, James R. Thompson, Governor of the State of Illinois, proclaim August 18-25, 1990, as FIREFIGHTERS APPRECIATION WEEK in Illinois, in conjunction with MDA's recognition of their efforts.

Issued by the Governor July 12, 1990.

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